

## SOUTH CAROLINA.

Joseph H. Abbey to be postmaster at St. George, in the county of Dorchester and State of South Carolina.

Frank C. Cain to be postmaster at St. Matthews, in the county of Orangeburg and State of South Carolina.

James G. Harper to be postmaster at Seneca, in the county of Oconee and State of South Carolina.

## TENNESSEE.

William E. Byers to be postmaster at Tracy City, in the county of Grundy and State of Tennessee.

William T. Smythe to be postmaster at Mountain City, in the county of Johnson and State of Tennessee.

## TEXAS.

Theophilus F. Berner to be postmaster at Henrietta, in the county of Clay and State of Texas.

Joshua Cooke, jr., to be postmaster at Longview, in the county of Gregg and State of Texas.

Kittie L. Edwards to be postmaster at Smithfield, in the county of Bastrop and State of Texas.

Jerra L. Hickson to be postmaster at Gainesville, in the county of Cooke and State of Texas.

Henry Liem to be postmaster at Center, in the county of Shelby and State of Texas.

Adelia C. Pruitt to be postmaster at Lindale, in the county of Smith and State of Texas.

Charles Real to be postmaster at Kerrville, in the county of Kerr and State of Texas.

Andrew J. Reeder to be postmaster at Granger, in the county of Williamson and State of Texas.

L. E. Robbins to be postmaster at Quanah, in the county of Hardeman and State of Texas.

## HOUSE OF REPRESENTATIVES.

TUESDAY, January 10, 1905.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

## ARMY APPROPRIATION BILL.

Mr. HULL, from the Committee on Military Affairs, reported the bill (H. R. 17473) making appropriations for the support of the Army for the fiscal year ending June 30, 1906; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. FITZGERALD. Mr. Speaker, I reserve all points of order upon the bill.

The SPEAKER. The gentleman from New York reserves all points of order upon the bill.

## INDIAN APPROPRIATION BILL.

Mr. SHERMAN, from the Committee on Indian Affairs, reported the bill (H. R. 17474) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1906, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. FITZGERALD. Mr. Speaker, I reserve all points of order upon the bill.

The SPEAKER. The gentleman from New York reserves all points of order.

## INDIAN CONTRACT SCHOOLS.

Mr. SHERMAN. Mr. Speaker, I desire to present a privileged report on a resolution of inquiry.

The SPEAKER. The gentleman from New York presents the following report, which the Clerk will read.

The Clerk read as follows:

*Resolved*, That the Secretary of the Interior is hereby directed to inform the House of Representatives whether or not any funds of the United States, or the principal or interest of any Indian trust funds or other moneys of any Indian tribe, are being expended or have been authorized to be expended for support of any Indian contract schools other than Government schools; and if any of said funds are being so expended, or the expenditure authorized by his Department, to state for what purpose authorized, the amount thereof, the authority for making such expenditure, and whether or not the consent of the Indians interested has been first secured therefor, covering the period since January 1, 1903.

Mr. SHERMAN. Let the report be read.

The Clerk read as follows:

The Committee on Indian Affairs, to whom was referred House resolution 394, being a resolution of inquiry, beg leave to report same back amended by striking out, in line 3 thereof, the words "funds of the

United States or" and inserting in lieu thereof the word "of;" and as thus amended recommend that the resolution do pass.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken and the amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The question was taken and the resolution was agreed to.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 965. An act for the relief of Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett;

S. 3718. An act to quitclaim all the interest of the United States of America in and to all lands lying in the District of Columbia and State of Maryland to heirs of John C. Rives, deceased;

S. 2705. An act for the relief of the wandering American-born Indians of Rocky Boy's band, Montana;

S. 3376. An act to authorize the Secretary of the Interior to acquire for the Government, by exchanges of public lands, the ownership of the private lands within certain public parks in the State of California.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 9548. An act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the "Bowman Act."

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 2871. An act to incorporate the Mutual Investment Fire Insurance Company of the District of Columbia;

H. R. 2052. An act for the relief of Ramon O. Williams and Joseph A. Springer;

S. 144. An act to provide for the purchase of a site and the erection of a public building thereon at Rawlins, in the State of Wyoming; and

S. 3379. An act to amend section 66 of the act of June 8, 1872, entitled "An act to revise, consolidate, and amend the statutes relating to the Post-Office Department."

## SENATE CONCURRENT RESOLUTION AND BILLS REFERRED.

Under clause 2, Rule XXIV, Senate concurrent resolution and Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3718. An act to quitclaim all the interest of the United States of America in and to all lands lying in the District of Columbia and State of Maryland to heirs of John C. Rives, deceased—to the Committee on the District of Columbia.

S. 965. An act for the relief of Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett—to the Committee on Claims.

S. 3376. An act to authorize the Secretary of the Interior to acquire for the Government, by exchanges of public lands, the ownership of the private lands within certain public parks in the State of California—to the Committee on Public Lands.

Senate concurrent resolution 90:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed and bound in cloth 6,000 copies of the Report on the Development of the Merchant Marine and American Commerce, and of the testimony taken in connection therewith, of which 2,000 copies shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 1,000 copies for the use of the Merchant Marine Commission, of which latter 100 copies shall be bound in half morocco—to the Committee on Printing.

S. 144. An act to provide for the purchase of a site and the erection of a public building thereon at Rawlins, in the State of Wyoming—to the Committee on Public Buildings and Grounds.

S. 3379. An act to amend section 66 of the act of June 8, 1872, entitled "An act to revise, consolidate, and amend the statutes relating to the Post-Office Department"—to the Committee on Public Buildings and Grounds.

S. 2705. An act for the relief of the wandering American-born Indians of Rockyboy's band, Montana—to the Committee on Indian Affairs.

Also the following House bill with Senate amendments:

H. R. 9548. An act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the "Bowman Act"—to the Committee on War Claims.

## ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. 1352. An act for the relief of Lindley C. Kent and Joseph Jenkins as the sureties of Frank A. Webb;

S. 5088. An act to aid the Western Alaska Construction Company;

S. 3199. An act for the relief of A. M. Short;

S. 1753. An act for the relief of Pay Clerk Charles Blake, United States Navy;

S. 6368. An act providing for the interment in the District of Columbia of the remains of Rose Dillen Seager;

S. 1501. An act for the relief of James F. McIndoe;

S. R. 84. Joint resolution authorizing the granting of permits to committee on inaugural ceremonies on the occasion of the inauguration of the President-elect on March 4, 1905, etc.; and

S. R. 79. Joint resolution granting the temporary occupancy of a part of the Government reservation in Washington, D. C., for the American Railway Appliance Exhibition.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 15317. An act to build a bridge across the Ouachita River, Ark.; and

H. R. 2510. An act for the construction of a steam revenue cutter adapted to service in the waters of Albermarle and Pamlico sounds, N. C.

## CURRENCY BILL.

Mr. HILL of Connecticut. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union, for the consideration of the bill (H. R. 4831) to improve currency conditions, and pending that motion, I would like to ask the gentleman in charge [Mr. BARTLETT] if we can not come to an agreement to vote at 4 o'clock on the bill; that the previous question be considered as ordered, and that we take a vote at 4 o'clock. I ask that for the convenience and information of Members on both sides of the House who would like to be present and vote on the bill.

Mr. BARTLETT. Mr. Speaker, replying to the gentleman from Connecticut, to the suggestion and request, as I understand it, only the first section of the bill has been considered.

Mr. HILL of Connecticut. Certainly.

Mr. BARTLETT. And the amendment offered by the gentleman from Mississippi, and the gentleman from New Jersey—

Mr. HILL of Connecticut. I would like to come to a vote on those amendments now, both the amendment of the gentleman from Mississippi and the amendment of the gentleman from New Jersey.

Mr. BARTLETT. Probably some one else may desire to be heard on that, I do not know. Some of us have not been heard at all on this bill.

Mr. HILL of Connecticut. There will be four hours.

Mr. BARTLETT. I do not desire to make an agreement now. I am not in a position to make it, I will say to the gentleman from Connecticut.

Mr. HILL of Connecticut. I understand the gentleman is in charge of the bill on that side by unanimous consent—

Mr. BARTLETT. I was at one time and am now as I understand it, but the gentleman understands the various phases this bill has assumed, very extraordinary in some particulars, which resulted in the gentleman from Mississippi, as he ought to have done, taking charge of it at one time.

Mr. HILL of Connecticut. Mr. Speaker, I am entirely willing to accept the statement of the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. I will say to the gentleman that we desire a vote on this amendment, and I have another amendment to offer to another section, and when that section is reached I will do so.

Mr. HILL of Connecticut. I am satisfied to go ahead with the understanding that we will press the bill to a conclusion at 4 o'clock, if possible, without any agreement to that effect.

Mr. BARTLETT. Before the House resolves itself into the Committee of the Whole, I desire to ask the House to give me permission to extend any remarks I may make to the Committee of the Whole in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HILL of Connecticut. Why not make it general? I make a request in general for all members on this bill.

Mr. WILLIAMS of Mississippi. Mr. Speaker, for reasons given by me at the last session, I will object to that and all similar requests.

The SPEAKER. The question is on the motion of the gen-

tleman from Connecticut [Mr. HILL]. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4831) to improve currency conditions, with Mr. DALZELL in the chair.

Mr. HILL of Connecticut. I was going to ask for a vote on the pending amendment.

The CHAIRMAN. Debate on the pending amendment was long since exhausted. The question now is on the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS].

[Mr. BARTLETT addressed the committee. See Appendix.]

Mr. SMITH of Iowa. Mr. Chairman, I move to strike out the last three words. It seems to me, Mr. Chairman, that the amendment of the gentleman from Mississippi [Mr. WILLIAMS] ought to be defeated, and that the amendment offered by the gentleman from New Jersey [Mr. FOWLER] ought to be adopted. I want to state briefly why I think this course ought to be pursued. For a period of many years the practice has been growing up in several States of collecting interest upon State and municipal deposits, until that system is now quite generally established. I see no reason why it should not in some form be applied to the deposits made by the Government of the United States. It is conceded here that it is impossible to so adjust the revenues that they shall each day equal expenditures, and consequently we must at times have either a deficit or a surplus. If we have a surplus, it must be deposited or withdrawn from circulation, to the detriment of the business of the country. If it is to be deposited, why should the Government of the United States not derive some reasonable compensation for the use of its money as other depositors do? I am opposed to the amendment offered by the gentleman from Mississippi, first, because it seeks to obtain interest with the existing system of bond-secured loans, a thing I believe to be impossible.

I think it has been demonstrated on this floor that under the system of bond security required there is no such a margin of profit in handling Government deposits as that interest can be obtained upon them under existing conditions. There is one thing that has not been mentioned: He who takes a deposit under existing law takes it under the peril of a declining bond market. These 2 per cent bonds at one time were at one dollar and ten, and to-day they are at one dollar four and a half. We have a falling amount of Government deposits resulting in the withdrawal of bonds that are being thrown upon the market, and consequently a falling in the price of the bonds.

Some of the gentleman in our region who have taken these deposits have had them in part soon withdrawn, and have been compelled to sell their bonds upon the then market at such a substantial loss over the price paid as to more than wipe out the profits of the enterprise. Therefore an attempt to get interest on a bond-secured loan, in my judgment, would be futile. There is not enough of profit in it even if the bonds remain stationary, but with a falling amount of Government deposits and a consequent falling of bonds, the loss upon the bonds will more than offset any profit under existing law. I am opposed, in any event, to the principle of competitive bids for this money. This is the money of all the people of the United States, and every part and section of the United States is entitled to obtain it upon the same rates of interest. It is highly improper, in my judgment, for the Government of the United States to loan the money that belongs to all the people at one rate to the people of the South and of the West and at another and a different rate to the people of the East. Yet that will be the direct result of competition for this money in the way of bids.

(The time of Mr. SMITH of Iowa having expired, by unanimous consent, at the request of Mr. FOWLER, his time was extended until he could conclude his remarks.)

Mr. COCKRAN of New York. Mr. Chairman, would the gentleman allow me to ask him a question right there?

The CHAIRMAN. Does the gentleman yield?

Mr. SMITH of Iowa. Yes.

Mr. COCKRAN of New York. How would competitive bidding between the banks operate to fix one rate of interest in one part of the country and a different rate in another?

Mr. SMITH of Iowa. I will answer that as best I can, Mr. Chairman.

Mr. COCKRAN of New York. It is very important, the gentleman will see.

Mr. SMITH of Iowa. It is somewhat difficult, perhaps, in view of the conflicting opinions upon the two sides of this House, but if, as claimed by that side of this Chamber, this money is more valuable in the West and the South, where interest rates are higher than they are in the East, then the direct effect would



be to produce a higher bid in the West and South than in the East, and a higher rate of interest.

Mr. BOWIE. Would they not get it all, then?

Mr. SMITH of Iowa. If they could absorb it all perhaps they would, if their security was sufficient. Otherwise the balance would be awarded to those sections where the rate of interest was lower. If I should answer the question from the standpoint of the gentleman from Connecticut [Mr. HILL], then I should say that the bidding would probably be higher in the East than in the West and South, but both sides agree that this money is not of equal value in all parts of the country for loaning purposes, and therefore the bids would of necessity vary as to rates of interest.

Mr. COCKRAN of New York. I hope the gentleman will allow me to disassociate myself with that statement right now.

Mr. SMITH of Iowa. I am attempting to answer the gentleman's question from the standpoint of the various gentlemen upon this floor.

Mr. COCKRAN of New York. I am sure the gentleman will allow me to say, merely to prevent confusion of thought in his own mind, when he states all are agreed on a certain proposition, it is eminently proper that I should state that I do not agree to it.

Mr. SMITH of Iowa. Mr. Chairman, I humbly beg the gentleman's pardon if I have misinterpreted his attitude on this question. I have understood the gentlemen on the other side to be practically a unit on the proposition that this money was more profitable in the places where the rate of interest was higher than in the places where the rate of interest was lower. If I am mistaken in supposing the gentleman to be in accordance with that theory, I beg his pardon.

Mr. COCKRAN of New York. I knew the gentleman need only be assured of that to clear the matter up.

Mr. SMITH of Iowa. Now, let us see whether or not this bond-secured loan system is a desirable system. First, let us see what would be the measure of safety in the system prescribed by the so-called "Fowler amendment." That amendment provides that no more than 25 per cent of the capital stock of any bank shall be deposited under this system in that bank. It is, indeed, a small and inferior bank that does not have as much of deposits and surplus as it has of capital stock.

Take the small form of bank, that inferior form of bank so far as this character of security is concerned, and the deposit of 25 per cent of the capital stock would be 12½ per cent of its assets. Futile indeed is a system of national examination of banks if a bank examiner can not discover that the capital is even measurably impaired before the assets have been squandered in excess of 87½ per cent of their total. Yet under this system proposed of making these loans a lien upon the assets of the bank the Government could sustain no loss even in this small bank until after this 87½ per cent of its assets have been lost, and with an ordinary bank, where the deposits far exceed the capital, a still larger percentage of the assets must be squandered before there would be any measure of doubt as to the Government collecting its deposits in full. Oh, but gentlemen say, it will impair the rights of the depositor. How can it materially impair the rights of the depositor? The Government today has the bank take its best collateral in excess of the amount the Government loans, and it has the bank put it in the Government Treasury, and takes a lien upon it and pays its claim in full out of the assets of the bank before the depositor can get a 5-cent piece. In what material way would the depositor be worse off with a lien upon the body of the assets than he is when the Government takes from the coffers of the bank its assets in excess of the amount of the Government loan—takes them into its own custody and holds them to secure the Government loan? So it seems to me that we may find that if the Fowler amendment, so-called, is adopted the depositors will not be injured and the Government would be secured and then the banks, freed from paying enormous premiums upon bonds, can well afford to pay a reasonable interest to the Government. What interest ought that to be? It ought to be the interest that the New York banks, where the rates of interest are low, pay to their depositors, their correspondents throughout the West and South, upon daily balances.

If the New York banks can afford to pay 2 per cent on the deposits of western banks from day to day, then they can, when freed from these premiums upon bonds and the like, afford to pay the same interest upon the deposits of the Government of the United States. It is not safe to say they could or would pay more to the Government than they are paying upon western and southern deposits now. If, then, that is the utmost we can reasonably expect to get from the banks where the rate of interest is the lowest, then that is all that ought to

be paid by the people of the South and West, where the rates of interest may chance to be higher for this common money of all the people. We would not only obtain abundant security without injuring the depositor and obtain a considerable revenue in the form of interest, but we would accomplish other objects, in my judgment, greatly to be desired. No man will claim that a 2 per cent bond of the United States ought to be worth as an investment more than par, and no man will claim that such a bond would be worth more than par but for the fact that it is made an essential of national-bank circulation and national-bank depositories. As soon as this amendment went into effect this great body of 2 per cent bonds now held as security for Government loans would be released. The result would probably be, in the first instance, a still further decline in price, but the immediate effect also would be to swell the national-bank circulation of the United States. No bank would continue to hold these bonds thus released as a mere investment without utilizing them in some way, and so you would find a prompt expansion of the national-bank circulation. If they were not all absorbed in that way some decline would necessarily remain in their price. Nor would that, in my judgment, be a calamity, because this Government, when it has surplus revenues, is in the habit of buying its outstanding bonds. For the honor of the country we want our bonds at par, but when we have surplus revenues it is against our interest, when we want to buy bonds, to have them abnormally forced above par by providing by law that they shall be the only security for circulation and for loans from the Government.

We have forced these bonds up in the market as against ourselves until there has been nothing to be gained in the last few years by buying them in the open market. So that this measure would secure the depositors as well as they are secured now, would secure the Government of the United States as well as it is secured now, and pay a handsome revenue to the Government of the United States, would increase the circulating medium of the United States, and if the Government wanted to buy its obligations would enable it to buy them cheaper upon the market than it is now able to do. In view of these suggestions it seems to me that this is a beneficent measure, and that it ought to be enacted into law. [Applause.]

Mr. PADGETT. Mr. Chairman, I will address myself for a few moments to the first section of the pending bill. Discussion heretofore has been consumed almost entirely with reference to the amendment. I desire to say that I am in sympathy with and propose to favor the amendment asking for interest upon the deposits, but I desire to call attention for a few moments to the merits of the original proposition.

Under the existing law the deposit of customs duties can not be made in the banks, but must be forwarded from all points where collected for deposit in the Treasury of the United States, thereby withdrawing that money from circulation and depriving the business and the industries of the country of the use of that money. Now, I say as a proposition it is far better for the country that the money should be in the banks without interest than to be in the Treasury without interest. It does not bear interest when it is in the Treasury, neither will it bear interest now if it should be deposited under existing law in the banks; but when in the banks it would be in the channels of trade and commerce and therefore useful to business.

I desire also to call attention to another practice. I desire to ask your attention for a moment to a section in the report of the Secretary of the Treasury for 1902. I read from page 67:

At present the purchase of outstanding Government bonds for the credit of the sinking fund affords the only method of returning surplus public revenues to the channels of trade after they have been once covered into the Treasury. The Department is authorized to deposit current internal-revenue and other receipts, except customs, with national banks upon satisfactory security, but this method affords very tardy relief in case of monetary stringency. On the other hand, the purchase of bonds invites a contraction of national-bank circulation for the purpose of disposing of the bonds pledged for its security at the advanced price which usually prevails whenever the Government becomes a purchaser. Thus the object sought to be attained is counteracted. If authority were granted to make deposits without security after special examination, and at such rates of interest that the Secretary of the Treasury might determine, quite an element of elasticity would be provided whenever a surplus of revenue existed. By advancing or lowering the rate of interest an equilibrium could be maintained throughout the country, and the interest charge would more than cover any loss.

But if it should be deemed unwise to permit the loaning of public funds without specific security, it certainly would be well to authorize deposits direct from the Treasury and, as now, upon satisfactory security. If such authority had existed during the last few months the something more than \$20,000,000 which was paid to the owners of Government bonds would have been deposited in a large number of reserve cities throughout the country, and the relief afforded would have been equally permanent and more widely appreciated.

I desire also to call your attention to some specific facts on



this question, in the purchase of bonds for the sinking fund. I read from page 23 of the same report, as follows:

The amount of interest-bearing debt outstanding July 1, 1901, was \$987,141,040. On that date the Government was still purchasing United States bonds for the sinking fund, and such purchases were continued with slight intermissions until March 15, 1902. The total amount purchased and charged to the sinking fund for the fiscal year 1902 was \$56,071,730, and the disbursement was \$70,410,941.33.

I also read from the report of the Secretary of the Treasury for 1901.

It soon became apparent, however, that there would be an excessive accumulation of public funds in the Treasury, and on October 31 the announcement was made that purchases would be resumed upon the basis of 1.726 interest return for the three classes of short-term bonds, and upon a basis of 1.906 for the 4 per cent bonds, loan of 1925. This latter basis represented, approximately, the market value of those bonds. The amount purchased from October 31 to November 15, inclusive, was \$6,995,950 and the disbursement therefor was \$8,802,478.67. The total amount of bonds purchased and charged to the sinking fund of 1902 from July 1 to November 15, inclusive, was \$33,114,420, and the amount disbursed was \$41,982,986.39.

Thus it will be seen—

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HILL of Connecticut. I ask that the gentleman be granted five minutes more.

The CHAIRMAN. The gentleman from Connecticut [Mr. HILL] asks that the time of the gentleman from Tennessee [Mr. PADGETT] be extended for five minutes. Is there objection? The Chair hears none.

Mr. PADGETT. Thus it will be seen that in the purchase for the account of the sinking fund in order to get the money out of the Treasury back into circulation to meet the business needs of the country the Government paid \$14,339,211.33 premium on \$56,000,000 of bonds purchased.

I say that such a system is an outrage. It is unfair to the taxpayers of the country. It ought not to be perpetuated. This first section of the bill proposes to remedy that defect. The necessity for its continuance has long since passed. This enactment was put in force during the civil war, when specie payment was not in force, when we had but little metallic money in the country, and in order to get gold this provision of law was made requiring customs duties to be paid in gold and the identical money sent to the Treasury.

But now specie payments have been resumed. Gold is the basis of all circulation. All the money is determined by the gold value, and no longer do we actually pay in gold, but in any money. Why should the Government transport the money collected in Charleston, or Savannah, or in any part of Texas, or any other part of the United States, and send that identical money by express and pay the cost of transportation to place it in the Treasury at Washington or in some subtreasury at the great cost of express charges, and thereby take it out of the channels of trade and of business?

Now, I say this is a plain business proposition. It has no politics in it; there is no more politics in this proposition than in the proposition of the farmer carrying a load of wheat to market and selling it to the best advantage. It is the plain business proposition of sending money to the Government and sending it to the Treasury without paying these enormous claims in order to get the money out of the Treasury back into the channels of commerce and the use and service of the people. You might take the other reports of the Secretary of the Treasury, and you will find that from time to time when we have a stringency, in order to get the money out of the Treasury back into business channels the Government has resorted to the purchase of bonds at an enormous premium; and you will find that while it has been in force we have paid more than \$62,000,000 on account of premiums when purchasing bonds for the sinking fund. Let us no longer submit to it, but adopt this plain, simple business proposition of depositing the money in the banks upon business principles and drawing upon it as we do with our internal-revenue collections.

Mr. WILLIAMS of Mississippi. Will the gentleman from Tennessee submit to an interruption?

Mr. PADGETT. Yes, sir.

Mr. WILLIAMS of Mississippi. The gentleman from Tennessee says that this is a plain business proposition, as I understand.

Mr. PADGETT. Yes, sir.

Mr. WILLIAMS of Mississippi. Suppose the gentleman from Tennessee had a certain amount of surplus funds, and had deposited half of those, by error, by mistake, or for some other reason, without interest. Would he consider it a business proposition to urge that as a reason for loaning the other half without interest?

Mr. PADGETT. I would not; but, upon the contrary, I stated that I was in favor of the gentleman's proposition for interest.

Mr. WILLIAMS of Mississippi. Yes. Now, then, the gentleman is a member of the Committee on Banking and Currency?

Mr. PADGETT. Yes, sir.

Mr. WILLIAMS of Mississippi. And the gentleman voted for this bill with this first clause in it, without my amendment, and without any amendment like it, and brought it in here, lending the other half of the revenues of the Government of the United States to the national banks without any interest. Was any motion made in the committee? Now, I am not asking any of the committee secrets; I am not asking how gentlemen voted. But was there a motion made in the committee to amend this first clause so that the Government could obtain interest upon this fund?

Mr. PADGETT. I do not recall that there was any motion made.

Mr. FOWLER. Was not the gentleman from Tennessee aware of the fact that if any interest were imposed that would drive the money from the country entirely and locate it entirely in the centers?

Mr. PADGETT. That is a debatable question, and a very serious question; but, independent of that question, I want to say plainly and emphatically that if the Government does not get interest upon the money while it is in the Treasury and does not get interest on the money while in the national banks it is better to have it in the banks, in the channels of trade and commerce, serving the people, than it is to have it locked up in the Treasury, withdrawn from the channels of trade, and to all intents and purposes canceled and dead money. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Debate upon this proposition has been exhausted.

Mr. COCKRAN of New York rose.

Mr. FOWLER. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed until he has finished his remarks.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that the gentleman from New York may proceed until he concludes his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. COCKRAN of New York. Mr. Chairman, this debate has taken so wide a course, and so many collateral and highly interesting subjects have been discussed, that it may be of service to the House if we can get back to the consideration of the amendment submitted by the gentleman from Mississippi [Mr. WILLIAMS] and the amendment to that amendment submitted by the gentleman from New Jersey [Mr. FOWLER].

During the debate last week the gentleman from Connecticut [Mr. HILL] introduced an extraordinary chart, which I have asked the attendants to restore to its place of prominence in order that I may point out a few of its peculiar characteristics.

I have often said, Mr. Chairman, and I think the experience of the House will justify me, that if I were to mention the most demoralizing influence in the world it would not be wine that befuddles, or woman that misleads, or dice that impoverish, but a lead pencil. Give an enterprising gentleman a lead pencil and a sheet of paper sufficiently large and it is not easy to measure the confusion of thought that he can produce. [Laughter.]

Now, this particular chart has worked such intellectual havoc in many directions as to make it necessary that I should, if possible, define just what it is that the House is discussing. The gentleman from Connecticut [Mr. HILL] has introduced a measure providing that funds of the United States, the proceeds of customs collections, instead of being kept idle in the vaults of the Treasury shall be deposited in the banks of the country, so as to permit their circulation in the ordinary channels of trade. Now, that is a meritorious measure—a measure so meritorious that I should support it under any conditions. The gentleman from Mississippi [Mr. WILLIAMS] offered an amendment which I think is in the highest degree desirable and which, if it be not absolutely essential to the working of the measure, is absolutely essential to its honest working, to its upright working, to its fair working, to its just working, and therefore to its most meritorious working. It is that the disposition of these deposits shall not be controlled by the discretion or caprice or possibly the favoritism of some future Secretary of the Treasury, but shall be regulated by the operations of trade themselves, ascertained through the banks themselves.

Now, this proposal, which it seems to me is so plainly and obviously meritorious that no sensible or clear or just or honest objection can be made to it, the gentleman from Connecticut [Mr. HILL] opposes, and he seeks to meet it not with arguments intelligible to the ordinary mind, but with this extraordinary



and mystifying chart. It is a peculiar feature of nearly all misleading economic productions that they generally start from some point very close to the soundest truth.

There was a very extraordinary publication which played an important part in the political campaigns of this country some eight or ten years ago. Gentlemen on the other side and I dissented strongly from its authority. It was known as Coin's Financial School. Now, Mr. Chairman, if we concede one original assumption in that remarkable production, its argument was unanswerable. It proceeded on the assumption that price and value are identical terms, and if that were conceded the argument of Mr. Harvey was absolutely unanswerable. Of course, those of us who dissented from it believed that while prices might be controlled by legislation, values were beyond the power of any government to affect by its laws. We regarded prices as the expression of values, just as we regard linear measures as the expression of distances. We knew that the legislature might to-morrow change the length of the yard. It might, for instance, provide that instead of 36 inches the yard should hereafter consist of 18 inches. And if such legislation had been accomplished, why, whenever a man wanted a suit of clothes he must order twice as many yards as he would order now, but he would not use any more cloth. He would use precisely the same quantity of material, because his outlines would remain the same and his necessities would not be disturbed.

And so with values. We believe that while the legislature might easily change the character of its coinage, and by reducing the number of gold grains in the dollar might require us to give twice as much for everything we need as we give now, yet when we came to exchange our commodities, the commodities we produce for the commodities we need, we would have to give just as much as we do now and our conditions would not be in any way changed.

Now, you will perceive, Mr. Chairman, that once you grant the proposition that prices and values are interchangeable terms, it is the easiest thing in the world to argue that the legislature can increase values. The power to increase values involves, of course, the power to bestow the increase on somebody, and if the legislature can make everybody rich, nothing is simpler than to show that it should proceed to make us all as rich as possible, without delay.

In the chart of the gentleman from Connecticut [Mr. HILL] we find an argument, or a conception, or a production, not quite so ambitious, but quite as intricate and quite as fallacious. My friend from Connecticut [Mr. HILL], in order to resist the perfectly simple, honest proposal of the gentleman from Mississippi [Mr. WILLIAMS]—a proposal which between individuals would be so obviously proper that nobody would dispute it—proceeds to give us a chart in which we are told that there are three mysterious zones in which capital seems to experience different emotions, obey different laws, exercise different functions, and to reap different rewards. I do not know precisely how capital of the same degree or nature or quantity as other capital could be kept in a 2 per cent region when there is a 10 per cent region hungering for its advent.

How does that 10 per cent region maintain the rampart which guards its integrity and exclude competition? How is the 6 per cent capital prevented from obtaining access to the richer and more fruitful 10 per cent field? Does the 2 per cent New York capital fear getting cold feet up in Minnesota, or sunstroke in Florida, or chills and fever on the banks of the Missouri, or, perhaps, bad temper in Colorado? [Laughter and applause.]

Now, as a matter of fact, Mr. Chairman, this general belief—I do not know of any error more widespread—that capital can be separated and segregated; that capital held in New York can be treated as different from capital held in Philadelphia or in Minnesota, is wholly erroneous. There is no such difference. There is no 10 per cent or 2 per cent belt in this country. This whole conception of banking is a vicious conception which has been denounced thousands of times from the other side as the very essence of Populistic extravagance, and yet it is now asserted by the mouths of gentlemen who claim to be the special representatives of sound money. There is no distinction between capital in New York and capital in New Orleans. Capital is the one element of human civilization that has neither prejudice of race, nor country, nor creed, nor climate. It is always in active competition, but it is competing for opportunities to serve the community. Laborers compete for employment, but it will take 10, or 15, or 20 per cent difference in wages to move a man very far. Thirty per cent would hardly move a man from Chicago to New York, because it costs the laborer a great deal to travel; he has ties of family, ties of association, which operate to restrict his movements, but capital is bound to no place by a single tie. For one-eighth of 1 per cent, for the cost of a postage stamp, you can send

twenty millions, fifty millions, one hundred millions from New York to San Francisco, and, for the cost of a telegram, you can send it in the twinkling of an eye. How, then, does the gentleman from Connecticut reach these extraordinary and misleading figures? I will tell you. He takes time loans in Minnesota with one character of security and compares those with call loans in New York upon much higher security and on such conditions that the bank can recall it at a moment's notice.

There is not a loan made in New York on call that could not be duplicated by a similar loan in Minneapolis or Wisconsin, or in the Northwest or the Southwest upon the same conditions and upon a like security. What is the function of a national bank? What is the function of any bank? Why, Mr. Chairman, it is an agency, by which the funds of the whole country are made available to every part of it. The funds of New York are just as available in Mississippi, in Minnesota, in Kansas, or in Colorado as they are in Williams street, around the corner from the New York Stock Exchange. Let there be a demand for capital upon call security, and it makes no difference what part of the country that demand comes from. So far from fearing the national banks, so far from distrusting their officers, so far from feeling distrustful of the operation of the banks anywhere, I regard that form of mercantile association as a high development of human civilization, a manifestation of the strong human tendency to offer the aid everywhere of the utmost limit of human ingenuity and human resources anywhere. [Applause.]

Now, Mr. Chairman, I am delighted to see that the gentleman from Connecticut [Mr. HILL] applauds that sentiment, for it is largely at variance with this table that he brought here and which separates capital into three hostile camps, all apparently kept from preying upon each other by some form of rampart or intrenchment. [Laughter.]

Let me explain why it is that he was able to summon a witness from the bystanders to say that in Minnesota banks have exacted 10 per cent interest on certain loans. The fallacy of the assumption is that all the funds of banks in Minnesota are loaned at 10 per cent and all the funds of banks in New York loaned at 2 per cent. Such a statement is in direct violation of the facts. Funds are loaned in banks everywhere on practically the same conditions. No bank could loan all its funds at 10 per cent. Every national bank and every bank must first of all keep a portion of its funds literally in cash, ready to pay over the counter on the demand of its depositors. The amount of that cash reserve the bank estimates for itself, according to the daily average of its demands. Next, a portion of its funds is kept in practically liquid form—that is, on call loans, drawing but a small rate of interest—so that in the event of sudden demand they can be available almost immediately to meet the exigencies of a sudden occasion. Country banks, where call loans are unknown, keep this portion of their funds on deposit in New York, where they draw interest, but at a low rate, and being always available on draft they are practically call loans.

Next, there are loans for a short time, for thirty days, which, maturing in a brief space, are in case of urgent demand easily converted into cash. Next, there are loans at sixty days, which are harder to dispose of and which are, therefore, a more remote reserve. Then, there are loans of ninety days, which are the limit for commercial paper. This in a city bank would be the last citadel of its resources. Each of these time loans draws a higher rate of interest in proportion to the length of time it runs. When the gentleman speaks of a 2 per cent loan, he is talking simply of loans that are made from day to day—one portion of bank investments—and compares them with time loans, an entirely different feature of banking operation. At the very same time in New York that the call-loan rate is 2 per cent, time loans command 4 and 5 per cent, yet even what are known as "time loans" in New York are not in any way analogous to those 10 per cent loans in Minnesota of which he speaks and between which he undertakes to draw a comparison. "Time loans," so called, in New York mean loans not upon the personal security of a man, but loans against a deposit of securities exactly like call loans, except that each loan has a given time to run, and the lender has always the right, in the event of a contraction in the value of securities, to demand that additional margin be supplied. To find in New York anything analogous to this 10 per cent Minnesota loan of which the gentleman speaks, you must take loans on commercial paper, on which the rate is seldom below 6, 7, or 8 per cent. Nearly all commercial paper sells with a discount, which, taken in connection with the rate of interest, makes such loans yield 6, 7, 8, and as much as 10 per cent. I am not speaking now of a few houses, like the house of H. B. Clafin & Co., whose paper has a special value, but the average commercial paper offered to banks commands rates



ranging all the way from 6 to 10 and even 11 per cent. These particular loans made in Minnesota, to which the gentleman from Connecticut [Mr. HILL] refers, are loans made against farming enterprises. These are loans, I am informed, which run for about four months. The long period they have to run operates to make them extremely undesirable.

The fact that the farmer has no commercial rating, and therefore that his note can not be offered in the public market place like a piece of commercial paper, also militates against its value; and because it is a long-time note, issued from a source which has no particular commercial rating, it necessarily commands a very high rate of interest, whether discounted in New York or Minnesota. Some of that bank's loans, of which the gentlemen speak, were of this character, and quite naturally they are at the rate of 10 per cent. But to pretend that all the funds of any bank are loaned at that rate, to pretend that you can take the place where some such loans are made, as a fixed zone where rates are different from what they are in New York, is to misrepresent or to totally misunderstand the operation of banking.

Now, Mr. Chairman, when we consider that wherever you deposit these funds they are almost certain to find their way to New York in any event; that whether you place them with a bank in one State or another; they are almost sure to form part of the reserve which that bank places on deposit with its New York correspondent; this attempt to dam up the flow of this particular stream of our currency is ridiculous and preposterous. To urge, as it has been urged by the gentlemen on the other side, that in banking it is necessary to treat the different sections of this country as being governed by irreconcilably hostile conditions and interests is to do violence, not merely to the facts, but, in my judgment, to the obligations of patriotism.

We have no hostile sections of this country in any respect. Their interests are all identical. Every bank throughout this country is interested in the rate of money in New York. By that will be governed the rate of interest upon its own deposits and its own facilities to oblige its own customers. Attempts to treat them as being on separate planes, belonging to separate countries, tied up in separate zones, governed by separate interests, exposed to separate risks, are attempts to inflame hostilities that it should be the objects of patriotism, of enlightenment, and of civilization to stamp out as delusions of a darker age.

I would have been quite prepared for some of the speeches from the other side if they had been delivered by Kansas populists. The gentleman from Indiana [Mr. HEMENWAY], who is about to proceed to the other House by the unanimous suffrages of his party, delivered an address here before the recess in which he declared that I stood on this floor representing the banks in New York in a scheme to oppress and plunder, or at least invade the rights and privileges of banks elsewhere.

I am not here to plead in defense of my own morals. Perhaps if the banks in New York could find it to their profit to have an assault made upon the other banks of the country I might be capable of leading it. If denial of such an imputation be necessary, it would be useless and I shan't detain the committee with it. But gentlemen who profess your financial faith ought to know that its very corner stone is that hostility between sections of this country can spring only from delusions as to the conditions that govern commerce; that every bank throughout the whole country is intimately and profoundly interested in the condition of every other bank; that a system which would try to strike down prosperity in any corner of this land would promptly be reflected in falling prices and clouding prospects everywhere—in New York first of all. Sir, the point of the amendment offered by the gentleman from Mississippi goes far beyond a provision to obtain for the Government the revenues to which it is entitled. That amounts to a substantial sum, but this country is so rich that the mere effect upon its revenues may be treated as of comparatively slight significance.

The important feature of it is the justice that underlies it. Sir, you can not violate justice in one particular and hope that your violation is the only one that will be perpetrated. There is nothing about injustice so remarkable as its fecundity. Every deed of wrong will breed a thousand imitators. The gentleman from Mississippi, in words prophetic, warns you that attempts to favor certain national banks would result in forming a precedent that hereafter may be quoted by a misguided though perhaps well-meaning men to the confusion and disorder of commerce and of government. He reminded you of the general opposition that arose from both sides of this House, and indeed from the whole country, when the Ocala platform was adopted and farmers of the South and West demanded that they should be given loans from the Treasury

at 2 per cent in amounts, I believe, to be fixed by themselves. Well, that was a ridiculous demand, a ridiculous suggestion which the common sense of both parties opposed and rejected. But as between loaning the money of the Treasury to farmers at 2 per cent and loaning it to the banks for nothing I ask you to take your choice on the score of morality. These banks want nothing but justice. To that they are entitled to the last degree. There is but one injury you can do them, and that is attempting to give them any special favor. The Government can not extend a special favor without perpetrating an injustice. Injustice works injury in all directions. It works injury to its victim, but it works a far deadlier injury to its beneficiary. The natural operations of these banks are in the highest degree helpful to the body politic. Do not place an imputation upon all their healthful operations by giving them funds for nothing, at least without asking them in competition among themselves if they are ready to pay for them.

Now, disposing of the table or chart of the gentleman from Connecticut with the brief statement that it "might be interesting, if true," let us proceed to consider the amendment of the gentleman from New Jersey, which has some merit and to which, I think, there are some objections. The gentleman from New Jersey concedes the right of the Government to demand interest from banks of deposit, but he coupled the concession with two conditions. First, he claims that the security now exacted from national banks should be remitted, and next he fixes the rate of interest to be paid by them arbitrarily at 2 per cent. So far as the feature of his amendment remitting security is concerned I am inclined to think it is meritorious. In fact, I have no doubt about it. What is the actual condition governing all deposits of public money? The Government, by its own officers, undertakes to maintain a continual supervision of the conditions of the national banks.

If that scrutiny is worth anything, security is needless. The only possible ground for exacting security is that examinations are unreliable. When you exact security you discredit the efficiency of your examination. If a bank is not sound enough to be trusted with its money, the Government should close it. It has no right to let a bank open to be a trap for me or for you when it will not trust that bank itself with its own funds without special security. [Applause.] So far from exacting security, I would not even give the Government a first lien on the assets of a bank for its deposits, for the Government is the only depositor that has the power absolutely to protect itself. All other depositors must trust to the fidelity with which the Government discharges its obligations. And yet, under this system, we are compelled to rely on the Government for information about where it is safe to place our funds, to trust the fullness and completeness of Government examination, and, if our trust is betrayed and the banks turn out to be rotten, we are compelled to make good to the Government from our assets the losses which result from its own incompetency or depravity. [Applause.]

Mr. LACEY. The gentleman, I believe, has unlimited time? Mr. COCKRAN of New York. Yes, sir.

Mr. LACEY. I would like to suggest a concrete situation right in this connection, which occurred in my own district. Last July an examination of a bank with \$100,000 capital was made. It was passed and it was all satisfactory. In August following, less than six weeks, the bank failed, and it turned out that \$184,000 of notes of the bank that had been passed by the inspector not only had been forged, but they had been carried as assets for years and years and the bank directors had been deceived, every inspector had been deceived, and the entire loss of capital occurred. An assessment of 100 cents on the dollar was made on the stockholders, still leaving a large amount unpaid. Now, that is a risk that would be assumed by the proposition made by the gentleman from New Jersey [Mr. FOWLER].

Mr. COCKRAN of New York. And that is the risk which I would place upon the shoulders that are responsible for it. What kind of an examination was that which approved and passed notes that six weeks afterwards were found to be forged? What is the object of an examination except to distinguish between forged documents and genuine ones? If the Government had discharged its function of examination efficiently, neither the Government nor the depositors could have suffered any loss.

Mr. LACEY. A careful examination was made.

Mr. COCKRAN of New York. Careful?

Mr. LACEY. Yes, sir; a careful examination.

Mr. COCKRAN of New York. Careful! Why, Mr. Chairman, that simply turns upon different conceptions of what we consider is meant by the expression "careful."

Mr. LACEY. The gentleman would not have suspected any one of those notes of being forged. The directors did not sus-



pect, and they were stockholders. The directors were ruined by the failure of the bank. Those notes were carried from year to year, renewed every three months, dividends were struck upon the forged notes, and nothing but the death of a trusted cashier brought to light the fearful mistake which had been made. Had he lived, the bank would still be continuing. I only suggest this as one of the dangers of taking our chances upon mere assets in the control of somebody other than the Government. [Applause.]

Mr. COCKRAN of New York. I would like to ask the gentleman from Iowa [Mr. LACEY] how old those notes were?

Mr. LACEY. The notes had been renewed every three months, or such a matter, and some of them had been running for eleven years.

Mr. COCKRAN of New York. Now, Mr. Chairman, I ask no stronger statement than that. That those notes could have been carried along eleven years in a bank is of itself absolutely incomprehensible to any sane man. The fact that the examiner seeing these same notes renewed again and again for eleven months, much less eleven years, did not deem himself put upon inquiry to ascertain whether they were genuine or whether they were forged, is the most complete confession of inefficiency, aye, of criminal carelessness, which I have heard made by an apologist of this Administration upon the floor of this House or anywhere else. [Applause.]

Mr. LACEY. I beg the gentleman's pardon. This had gone through several Administrations. They had been inspected by one bank examiner after another, and the paper was three and six months' notes.

Mr. COCKRAN of New York. I accept all that the gentleman has said as gospel.

Mr. LACEY. It is as simple as the Chadwick matter after it is all over.

Mr. COCKRAN of New York. I do not know what the conditions in Iowa are. I do not know whether the gentleman wants us to understand the conditions which he describes are those under which he would consider a bank properly managed or not. If these are the conditions that he considers satisfactory for the safety and investment of bank moneys, I venture to assure him he will have requests for loans far beyond his wildest expectation. [Applause.]

Mr. LACEY. How can you thoroughly protect the Government where you have got to base it wholly on the skill of the bank examiner, who may be deceived, and the officials also be ruined while they are being deceived?

Mr. COCKRAN of New York. Mr. Chairman, when I spoke before, what I said was necessarily speculative. It has now received the most signal confirmation. The case which the gentleman points out is as palpable and clear a case of criminal neglect as it is possible to conceive.

Neither the Government nor the depositor could have lost a penny if the examination of that bank had been reasonably diligent, and, for my part, instead of giving the Government special security in such a case, instead of giving it a first lien on the assets—ahead of the victims who had been duped and misled by its false assertions—I would make it come in last. But I would hold the officer responsible for these examinations and for the appointment of examiners, and his bondsmen answerable and liable for every dollar that might be imperiled by the failure of such institutions.

But, Mr. Chairman, the gentleman from New Jersey evidently intends to make the right of the Treasury to ask these banks for interest on deposit depend entirely on whether they are required to give security or not. Now, I ask him why should not these banks be allowed to say for themselves whether they can pay interest or not under any circumstances. Why does the gentleman from New Jersey and the gentleman from Iowa assume that the banks can not pay interest if they are compelled to continue to give security?

Mr. FOWLER. It is not a question of assumption at all. It is a matter of absolute demonstration, and I will now give you the statistics showing it. Therefore all the speech—

Mr. COCKRAN of New York. Mr. Chairman, I hate to interrupt the gentleman and to dam up the tide of information which he proposes to turn on, but I must respectfully submit that he can not give statistics as to whether the banks will bid for this money or not until the banks have had a chance to act for themselves in the matter.

Mr. FOWLER. Will the gentleman allow me to answer his question?

The CHAIRMAN. Does the gentleman from New York yield? Mr. COCKRAN of New York. Yes; I yield to anything that will promote the fullness of discussion. [Laughter.]

Mr. FOWLER. I have before me a statement prepared by the Department on June 30, 1899, which gives the following in-

formation with regard to the rate on loans in different parts of the United States: The city of Boston had an average rate of 4 per cent on all of its loans; the city of New York had an average rate of 4.6 per cent; the State of Mississippi had an average rate of 8.5 on all loans made in all national banks in the State of Mississippi; the Territory of Oklahoma had an average rate on all loans made in Oklahoma of 10.7 per cent, and what are known as the Western States had an average rate of 8.5, which was double the rate in the New England States.

Mr. COCKRAN of New York. Now, do you mean on similar loans?

Mr. FOWLER. Just a minute.

Mr. COCKRAN of New York. Oh, I hope you will not ask me to wait a minute for that information; I am eager for it.

Mr. FOWLER. If you will allow me, I will say that you can not have similar loans unless you have similar conditions.

Mr. COCKRAN of New York. That is just it.

Mr. FOWLER. This same money that is going into New York and in the eastern cities, but most largely to New York, is not necessarily commercial money, but largely the investment funds of the world, and when these investment funds appear in the commercial market it naturally lowers the commercial rate.

Now, there have been men in parts of the United States who have borrowed money upon Government bonds and paid 2 per cent a month upon them. I know that, because I did it myself once in Kansas. I think that completely answers the gentleman.

Mr. COCKRAN of New York. Does the gentleman mean to tell me now that if he brings Government bonds to a bank in New Orleans and asks for a call loan, the rate of interest charged would be very different from the rate in New York?

Mr. FOWLER. Most assuredly. I doubt whether there was a call loan made below 5 per cent in New Orleans, and the average rate in New York is 1.

Mr. COCKRAN of New York. I say, upon the same security.

Mr. FOWLER. Upon the same security, call loans on Government bonds.

Mr. COCKRAN of New York. Let us see, Mr. Chairman, what the gentleman would have us believe. The bank in New Orleans has a balance with a correspondent in New York. If the rate on call loans in New York be 2 per cent, the New Orleans bank can loan to this applicant upon Government bonds at 2½ per cent, borrow the same amount in New York at 2 per cent, and make one-quarter of 1 per cent upon the transaction. And yet the gentleman from New Jersey [Mr. FOWLER] would have us believe that the bank, from some motive or other, would recoil from making that profit, without any risk to itself or without any use of its own funds. Now, that may be. The gentleman may have a conception of banking which clothes the banker with a different morality and a different mentality from the rest of us, but I do not share that view.

Mr. WILLIAMS of Mississippi. Mr. Chairman, if the gentleman will permit me to interrupt him—

Mr. COCKRAN of New York. Yes; certainly.

Mr. WILLIAMS of Mississippi. I quite agree with the gentleman from New York that the chief trouble with the present arrangement is the favoritism, or possibility of favoritism, growing out of leaving this entire matter within the discretion of a Government official. Now, in that connection I would like to ask him if this reflection has not presented itself to his mind in connection with the amendment of the gentleman from New Jersey [Mr. FOWLER], namely, that that favoritism, or possibility of favoritism, will not at all be done away with for this reason: There is no part of this country where the banks would not clamor to be Government depositories at 2 per cent if they were not required to give any security. Therefore the number of banks asking to become depositories would be so great that it would far surpass the supply of money to be loaned, and the Secretary of the Treasury would then be reduced again to the necessity of selecting in his own arbitrary discretion the depositories at 2 per cent, just as he now selects them at no per cent.

Mr. COCKRAN of New York. Undoubtedly, Mr. Chairman, there can be no question about the correctness of that position. I can not for the life of me understand, notwithstanding the lucid explanation which the gentleman from New Jersey [Mr. FOWLER] has undertaken to give, how any person can say here that the banks can not pay this or can not pay that rate of interest, when the amendment of the gentleman from Mississippi [Mr. WILLIAMS] simply invites them to say for themselves at first hand whether they can or not. I will admit that the gentleman from New Jersey is the most profound, and respectable, and imposing, and majestic authority on this question in this House or in all the political world, but surely—



Mr. FOWLER. If your judgment was worth anything I would thank you. [Laughter on the Republican side.]

Mr. COCKRAN of New York. I have not expressed that as my judgment, Mr. Chairman; I have only advanced it for the purpose of argument, and I see already it has made the argument ridiculous. [Laughter on the Democratic side.] Nowhere has the tribute to the gentleman been so enthusiastically vociferous as in his own immediate neighborhood. But I repeat, Mr. Chairman, I am willing to assume, for the sake of argument, that the gentleman from New Jersey is the most imposing, the most respectable authority on this subject in all the political world; but surely he is not a better authority than all the banks themselves acting together in a competition for their mutual interest. The gentleman from Mississippi [Mr. WILLIAMS] does not undertake to say whether or not 2 per cent is the correct amount; whether it is the amount that at all times ought to be exacted. Perhaps it is. Perhaps the gentleman from New Jersey is infallible on this question. Notwithstanding the laughter with which that last suggestion was received, I say it is within the bounds of human belief that he is infallible, but if he is the amendment of the gentleman from Mississippi [Mr. WILLIAMS], if it go into operation, will make that infallibility all the clearer. Perhaps it will turn out that 2 per cent is the amount that should be fixed; but the gentleman from Mississippi [Mr. WILLIAMS] simply demands that the banks themselves shall fix that amount, and that it shall not be fixed arbitrarily here by the gentleman from New Jersey and the majority of this House.

If 2 per cent is the amount the banks can pay, the banks will say so; if 3 per cent be the amount, the banks will say so. There may come a time when 2 per cent would be excessive. In that case the amendment of the gentleman from Mississippi allows the banks, by their own action, to fix the rate at  $1\frac{1}{2}$  per cent.

Mr. Chairman, in the last analysis the distinction between the amendment of the gentleman from Mississippi and the amendment of the gentleman from New Jersey is this: The gentleman from Mississippi prescribes the rule of exact justice for this transaction. He holds the Government impartial between all these banks, allowing them by their own acts to determine in what amount and in what direction these funds should be distributed. The gentleman from New Jersey, doubtless inspired by the best of motives—here, I notice, his side does not laugh, but that both sides of the Chamber are serious—inspired, I will say, by the best motives, proposes to substitute for the natural operations of trade the resources of his own wisdom. [Laughter.] These are vast, I have no doubt—I still want to guard myself from derisive laughter—but not so vast as the resources of the national banks themselves in determining what they can pay for the use of these funds.

I appeal once more to both sides of the House and beg them in the interest of commerce, of sound money, of the banks themselves, to assume on this question the position of impartial justice; to heed the words of warning spoken by the gentleman from Connecticut [Mr. HILL] on Thursday last, although it seems to me he strangely misapprehends now their true application. He sounded a warning against the power of the Treasury to deposit vast funds in one part of this country and another. I reecho that warning. I appeal to both sides of the House to make it, if not impossible, at least as innocuous as possible, by compelling the Secretary of the Treasury to exercise this power not according to his own judgment, caprice, or favor, but according to the operations of trade, ascertained through competition of its most effective agencies held under rules to be fixed by him.

It was suggested by the gentleman from New Jersey [Mr. FOWLER] in a question by the gentleman from Mississippi [Mr. WILLIAMS] last week that a change of vast deposits at stated intervals might work serious disturbance in the financial world. Sir, I remember that in the course of that very colloquy at one time the gentleman from New Jersey said that the total amount of these deposits would be infinitesimal as affecting the general volume of exchange and banking operations, and in the next minute said it would be so great that it would seriously disturb all trade.

There is no possibility of anything disturbing the channel of trade that can be foreseen. Any operation of finance that is prescribed by law that is equal, that is timely and certain, can never find trade unprepared or unadjusted. Let the commerce of this country know that these funds will be distributed every three months, or six months, or at any time the Secretary of the Treasury may prescribe, and the trade of the country will adjust itself to that distribution with unfailing regularity. Nay, more. The rate which the market can pay will be fixed long before the bidding occurs and will be known to all men. Rates

of interest are not fixed by banks arbitrarily, although here again the gentlemen on the other side seem to affright themselves with some extraordinary misconceptions of what banks must be. They seem to think these beneficent and essentially pacific institutions are monsters that prey on the community when they have a chance, and, when the community is exhausted, turn their furies upon each other.

Sir, banks will not conspire against the welfare of the country. Banks will not compete to the injury of each other. They will compete for their mutual benefit and they will operate for the public good. They will compete for opportunities to serve the people, if you do not equip them with power to plunder the people. It is fair to assume that where power to profit by plunder—that is to say, by favor—is given it will be used. If you allow certain banks to use these public funds without interest, I ask why don't you allow me, why don't you allow others, to have the benefit of public funds without interest? We can use them at a profit and we can give security, as the banks do now. You would not listen to such a proposal, and your refusal does you credit. But you do propose to give the banks these funds without conditions. That is a wrong. It is giving the bank something to which it is not entitled. Let a bank or any other human institution have a chance to profit by the spoliation of its neighbor and that chance is very likely to be improved. Nay, more, it can not fail to be improved. Banks are competitors. Under wholesome conditions—that is to say, with Government impartial between them—this competition must always be beneficial to the public. If, however, some banks get favors from the Treasury, other banks will be equally eager to seek the same favors.

No bank can stand by and allow other banks to get special favors without striving to share them. To remain supine while competitors are reaping advantages would be disloyal on the part of the directors. You are here creating what? Not a fountain of industry to which all banks must contribute by their very operation; not an avenue of service which all banks can pursue alike, each seeking the goal where its activities can take the form of the largest stimulus and encouragement to production. No. You are establishing a fountain of favor. You propose that the Secretary of the Treasury shall say to this bank and that bank and the other, You shall have funds, funds to use, funds to profit by, without returning any corresponding benefit to the Treasury. It is not the amount the bank will make nor the amount the Treasury will lose against which I protest. In my present condition I should not take the floor upon that question. I should not have thought it worth the time of the House that I have consumed. But I protest against any special favor to banks as I would protest against the slightest injustice to them. Nay, I protest against this attempt to do them favors as the very gravest injustice that could be done to them. I protest against it as one who made the fight for sound money with gentlemen on the other side, holding their views on this precise question, of the function which banks discharge, the duties they owe the public, and the protection to which they are entitled, always upholding them because I believe they were built on justice.

Do not now discredit the cause which is triumphant by using its phrases and professions while perpetrating an act of favoritism, which is an act of injustice balefully and malevolently fruitful because bound to become the parent of a sinister and numerous brood.

Sir, there is but one law which should govern banking and all other operations of both commerce and government. That is the law of equal and exact justice. You have here large funds to deposit. There is but one way to decide where they should go and that is to ascertain what banks will pay the most for the use of them. That will indicate where the funds themselves are most needed in commerce. You have no other guide which you can afford to follow. Forsake that and you are at once driven to consult the whim or caprice or some other emotion in the breast of the Secretary of the Treasury. You raise him to a power which no man can safely exercise in a democracy—aye, or under any other form of government. The amendment of the gentleman from Mississippi [Mr. WILLIAMS] points you to exact and equal justice. It points you to sound banking, to sound morality.

I appeal to everyone who believes that equity and sound morals should govern in all matters financial and matters political to support this amendment now and launch this substantial reform in the method of treating public funds, not under a cloud of favoritism and wrong, but under the bright sunshine of perfect justice to every element of the community. [Prolonged applause.]

Mr. LILLEY. Mr. Chairman, the gentleman from New York I understood to say liked certain features of the bill and cer-



tain features of the amendment of the gentleman from Mississippi [Mr. WILLIAMS]. I would like to ask the gentleman from New York if he does not think an amendment could be offered including the best features of both propositions which would be preferable to either of them now?

Mr. COCKRAN of New York. I think, Mr. Chairman, that the suggestion of the gentleman is one that I always like to follow, and if I could think of any improvement to the amendment of the gentleman from Mississippi I would gladly welcome it; but it seems to me that amendment expresses the exact justice of this situation. If the gentleman can suggest any amendment to the amendment of the gentleman from Mississippi which would improve it, I should be glad to accept it.

Mr. LILLEY. The doing away with the bond security.

Mr. COCKRAN of New York. The amendment of the gentleman from Mississippi does not touch that. I have already said that from my point of view for the Government to exact security from banks of deposit is to discredit its own examination of them, and that, far from giving the Government special security or a first lien on assets, I would make it come in last, and hold the officer charged with the responsibility of examination responsible by himself and his bondsmen for every dollar of loss.

Mr. FOWLER. Mr. Chairman, I ask unanimous consent to address the House for a few moments.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to address the House. Is there objection?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. WILLIAMS of Mississippi. There was so much confusion about me I could not hear the request made by the gentleman from New Jersey.

Mr. FOWLER. The request was that I be allowed a few minutes.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to address the House without limiting any specific time.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the gentleman from New Jersey had that permission once before. It seems to me that to have permission for unlimited time twice under the five-minute debate is—

Mr. FOWLER. I shall not speak over three or four minutes.

Mr. WILLIAMS of Mississippi. I ask, then, that the gentleman may have ten minutes. Is that sufficient?

Mr. FOWLER. Yes.

Mr. WILLIAMS of Mississippi. I thought the request was for unlimited time.

Mr. FOWLER. Mr. Chairman, we are not dealing with idealism nor with sentiment nor phosphorescence. We are dealing with facts ascertainable and ascertained, and when the gentleman attempts to address this House for an hour upon an assumption which he claims was false, but literally verified by the facts which I have just presented to the House, it seems quite unnecessary that much if any reply should be made to him. I simply want to call the attention of the House to the fact that in the various sections of this country the rates of interest are different and they are controlled by the peculiar conditions existing in the various parts of the United States; and I will venture to say now, without any very definite knowledge of any particular case, that now in portions of the United States men are paying 2 per cent a month on loans. What kind of loans? Probably cattle loans, where they are feeding cattle and where the security is absolutely good and as good for the money advanced as Government bonds, but the conditions in that community control rates of interest in that locality.

Mr. COCKRAN of New York. Will the gentleman allow me a question?

The CHAIRMAN. Does the gentleman from New Jersey yield?

Mr. FOWLER. I think not. When I get through with my remarks I will answer any question you may ask me.

Mr. COCKRAN of New York. I just had a short one at that point.

Mr. FOWLER. Well, put it in pickle until I get through.

Now, I want to say a word with regard to the incident alluded to by Mr. LACEY, and about bank examinations incidentally. Mr. LACEY gave to this House an instance that was marvelous in the length of time that the forgeries were carried on. The gentleman from New York criticised the examiners because they did not know that these notes were forged. Why, if you assume that a bank examiner can tell in a minute whether a note is forged or not you have got to assume something they never will do.

The directors of the bank ought to inquire, the examining committee that examines, or should examine, the discounts of the bank every three or six months ought to know whether the notes are forged; but no bank examiner traveling over this country can go into a bank and say whether or not the notes of that bank are forged. Now, what bearing does this incident cited by the gentleman from Iowa have upon this question? It has absolutely no more bearing upon the question before this House than a suicide would have upon the principle of life insurance—simply a horrible exception. It is extraordinary, it is not the usual, it is not the average, and that is what business is based upon. It is the average experience that should control us and not some astounding and astonishing exception. Now I want to come to one other point referred to by the gentleman from New York, and that is with regard to the rate of interest. I have stated that the highest bid made for money does not indicate necessarily where it is most needed.

The average rate of money in a particular town in the West may be 8 or 10 per cent and a bank in that locality may bid 3 or 4 per cent for it, and yet there may not be the need of money in that locality there is in some other locality at a given time where money may loan for 4 or 5 per cent. It indicates nothing except this: It reflects the average local rate and nothing more unless the bid should be the result of a panic in the locality, when men might bid almost any price for deposits. Now, what is the basis of this 2 per cent rate? It was fixed at 2 per cent by the committee two years ago because throughout the length and breadth of the land in the reserve cities the bankers were paying to their customers, to their large depositors who were giving them an average balance of \$5,000, \$10,000, or \$20,000, 2 per cent, and I will venture to say that to-day the average rate on these large balances throughout the United States is approximating 2 per cent.

Now, should it be put up for auction? Should the Secretary of the Treasury offer the money to the bankers because, forsooth, they want it in this locality or that locality, at one price here and another price there? Not at all. If you put it up at auction, how often are you going to do so? Is it to be put up at the end of every week or at the end of every month or only once a year? All of you gentlemen, coming from different parts of the United States, realize that at various times of the year money is more active than at other times. You see that if the Secretary of the Treasury of the United States should offer to the country five, ten, fifteen, fifty, one hundred, or one hundred and fifty millions of dollars at any time it might all of it go to New York, in case of panic, at the rate of 365 per cent a year, for money has loaned there at the rate of 1 per cent a day. It would necessarily become a disturbing factor, and it would be unbusinesslike and unjust to do so.

Now, the effect of the amendment which I offered was to give to the several banks of this country, not a large sum of money, but to any one bank an amount not exceeding 25 per cent of the paid-up and unimpaired capital. What would the result be in distributing \$100,000,000? We have about \$800,000,000 of banking capital, and therefore, if you deposit 25 per cent of the amount of the paid-up capital of the banks, it would secure, as a matter of fact, a wide distribution of capital throughout the length and breadth of the United States. It gives to the banker out in Iowa, out in Oklahoma, his deposit at 2 per cent, the effect of which would be gradually to lower the 10 per cent that the people are paying there, which would not result if the man in Oklahoma had paid 5 or 6 per cent for the Government deposit.

What is the duty of the Government in such a case? It is, so far as possible, by the use of these public funds, to secure a fixity of conditions throughout the length and breadth of the land, and disturb them as little as possible, instead of doing just the reverse.

Now, as to the question of favoritism. There can be no law, in my judgment, that would result in more equal justice than a law operating alike throughout the length and breadth of this country, precisely as the amendment that I have introduced. It would send the money, not to New York City alone, but to every part of the country on equal terms. If the amount is one hundred millions, as it is now, I doubt whether any section of the country would be without some Government deposits. Therefore, gentlemen, what are you going to do upon these amendments? It seems to me—

Mr. BOWIE. Will the gentleman allow me to ask him a question right there on the question of favoritism? Would the gentleman object to an amendment to his amendment, reading as follows:

*Provided, That all moneys so deposited shall be equitably distributed between the banks in the several States of this Union.*

That proposition is left cut. Now, under the present dis-



tribution one city of Arkansas has \$100,000 and the city of New York has \$40,000,000. That is not an equitable distribution so far as the country is concerned.

Mr. FOWLER. My own judgment is that the Secretary of the Treasury should be allowed to deposit this money as he chooses, for this reason—that if the Secretary had placed any given or permitted quota in New York City already he would be unable to increase it, even in case of panic, although an additional deposit would save us, not in New York alone, from a panic, but the whole country; for let no man in this House think that you can have a panic in New York City without the whole country suffering more or less. If money is put in New York City in a time of general stress, it will do more good than if put anywhere else, because that is the very heart of our financial system, and the banks in this country which are keeping an account there can appeal to their New York correspondents for assistance, and invariably obtain it if the banks have just claims and are entitled to aid. Of course this would be true, in a measure, of all financial centers like Boston, Philadelphia, Chicago, St. Louis, New Orleans, and San Francisco.

Mr. HILL of Connecticut. Mr. Chairman, I ask for a vote on the amendments.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. HILL of Connecticut. Division, Mr. Chairman. [After a pause.] To save time, I ask for tellers.

Tellers were ordered.

The CHAIRMAN. The gentleman from Connecticut [Mr. HILL] and the gentleman from Mississippi [Mr. WILLIAMS] will take their places as tellers.

The committee divided; and the tellers reported—ayes 114, noes 90; so the amendment was agreed to.

Mr. HILL of Connecticut. I now call for a vote on the second amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

Mr. THAYER. I would like just a word. Mr. Chairman, there seems to be a great variety of opinion in the House as to the feasibility of passing this amendment, on the ground that the banks, as some say, will not be willing to accept this money and pay 2 per cent interest. It is claimed by others that there will be a great desire on the part of the banks to take this money and there will not be enough to go round. It is all left now, if this amendment of the gentleman should carry, to the Secretary of the Treasury and wholly in his discretion. I was very much impressed by what the gentleman from Mississippi said when he said if this bill went into operation there would be a demand for this money from all over the country, and there would be so many demands for the money that the Secretary would be in the same condition that he is now, in that he would choose this bank in this city and that bank in another place and in this way the money would not be equitably distributed through all the States.

Mr. WILLIAMS of Mississippi. If the gentleman will excuse me, I said that in reference to the amendment of the gentleman from New Jersey.

Mr. THAYER. Certainly. I am speaking relative to his amendment.

Mr. WILLIAMS of Mississippi. Which fixes the rate of interest.

Mr. THAYER. I was greatly impressed by what the gentleman from Mississippi said. Now I have got an inkling in my own mind in some way if this bill goes into effect that the most of the money will go to New York, Chicago, and Boston, and I would suggest to the chairman of the committee as to the feasibility or propriety of having an amendment to this amendment, so that this money should be placed in the different banks in the different States pro rata, either to the amount of business or the population in each State of the entire country outside of the Philippine Islands, or proportionate to the amount of bank stock in the several national banks. It seems to me, despite what I have heard here by those opposed to the banks paying any interest, that it is going to be a good thing for the banks, and if they are going to demand this money and pay this interest, which I think they ought to pay, when they are relieved of putting up security in the purchase of bonds, that every State in this land should have its share of this money, provided it demanded it and is willing to pay the stipulated interest, and that the money should not go to a few preferred banks. And the way to secure this disposition of the money is to provide for it in the bill, not leave it to the discretion of the Secretary of the Treasury or anyone else.

Mr. HILL of Connecticut. Mr. Chairman, a number of re-

quests have been made that the amendment offered by the gentleman from New Jersey be again reported. If there is no objection, I think it would be fair it should be done before it is voted upon.

The amendment was again reported, as follows:

Strike out all after the enacting clause in section 1 and substitute in place thereof the following:

"SECTION 1. That in addition to the provisions of section 5153 of the Revised Statutes, concerning the designation of public depositories and the deposit of public moneys therein, the Secretary of the Treasury may also deposit in such designated depositories any public money received from whatever source, including receipts from customs, without requiring security by the deposit of United States bonds and otherwise, as provided in said section, but no such deposit shall in any case exceed 25 per cent of the paid-up and unimpaired capital of any such depository. National banking associations having on deposit public money in accordance with the provisions of this act shall pay to the United States for the use thereof interest at the rate of 2 per cent per annum, payable semiannually on the 1st days of January and July of each year. The United States shall have a paramount lien on the assets of banks in which public moneys are deposited in accordance with the provisions of this act for the repayment of the same on demand of the Treasurer of the United States."

Mr. HILL of Connecticut. As I understand, that strikes out the section as now amended by the gentleman from Mississippi and proposes to insert in lieu of that section the amendment as just read.

Mr. WILLIAMS of Mississippi. Mr. Chairman, has discussion upon this amendment been exhausted?

The CHAIRMAN. It has not.

Mr. WILLIAMS of Mississippi. Then I desire to be heard a moment upon it.

Mr. HILL of Connecticut. I supposed the amendments had been offered here two or three days ago and that they were pending together.

The CHAIRMAN. The amendment was simply read for information and was not pending until after the disposition of the amendment of the gentleman from Mississippi.

Mr. HILL of Connecticut. How much time does the gentleman want?

Mr. WILLIAMS of Mississippi. Not more than five minutes.

Mr. HILL of Connecticut. Then I ask that debate on both amendments close in ten minutes.

Mr. WILLIAMS of Mississippi. I do not care.

Now, Mr. Chairman, I want to say this to the House: We have just passed an amendment offered the other day by me. Now, the amendment offered by the gentleman from New Jersey is absolutely useless unless gentlemen prefer that amendment to the one which we have just passed.

It is an amendment with the effect of a substitute. In other words, if the amendment of the gentleman from New Jersey [Mr. FOWLER] should pass, it would wipe out the amendment which the House has just this moment adopted.

Now, I want to tell the House the two salient objections, or rather to emphasize again the two salient objections to the amendment of the gentleman from New Jersey. In the first place, it fixes the rate of interest arbitrarily, not leaving it to be fixed by the demands of trade in its slack times and in its tight times, as it ought to be fixed. It undertakes to interfere with ordinary trade relations, instead of leaving them automatically to work out their own results.

The next objection to it is that it will not remove in the slightest degree the chief fault of the present system, to wit, the fault of its favoritism, or possibility of favoritism, if gentlemen would prefer me to put it that way. It will leave the money of the country to be deposited in the banks and virtually to be let out at a rate of interest so small, especially when you consider that no extra security is to be given by the borrowers at all, that every national bank in the country will want to take all it can of the public deposits. The consequence will be that we will have the very system which we now have. As not all of the banks can possibly be depositories under this amendment, and as all of them will be begging to be depositories, we are carried back to the point where we stand to-day. The Department must, in its arbitrary discretion, with a possibility of favoritism by no means to be overlooked, a favoritism which has been exercised in the past, in some cases at any rate, select out of the number of those who are clamoring to be depositories those who are chosen by it to be depositories, without any legal prescription of the manner in which the choosing shall be done and without any Department regulation, even, of the manner in which it shall be done.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. WILLIAMS of Mississippi. Yes.

Mr. MANN. Why does not the gentleman now propose an amendment to the amendment proposed by the gentleman from New Jersey—I take it that it is subject to amendment at this stage—providing that the money shall be loaned upon bids in-



stead of at 2 per cent, leaving the amendment providing that it shall be loaned without the usual security now required?

Mr. WILLIAMS of Mississippi. The reason I do not do that is because I think it unnecessary. The House has just passed an amendment which does the very identical thing.

Mr. MANN. If the gentleman will permit me, I voted for his amendment—

Mr. WILLIAMS of Mississippi. Yes.

Mr. MANN. But I do not believe that it would prevail again as against the amendment of the gentleman from New Jersey, because your amendment provides that the present security shall be required, which practically shuts out the banks from the South and West. The amendment of the gentleman from New Jersey, as perfected by your amendment, would take the money away from the cities and put it into the South and West.

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, that remark leads me to the next point that I intended to come to. The next objection to the amendment of the gentleman from New Jersey is this: It makes the Government of the United States a depositor, just like all other depositors, and then, instead of leaving the Government of the United States to run an equal chance with all other depositors, it gives it a first lien upon all the assets of the banks for the payment of its special deposits.

In other words, it does not increase the assets of the banks by the deposit of any security whatsoever. It increases the assets only by the amount deposited. It increases the liabilities of the bank by the amount deposited, and in case the bank should fail the Government would come in absolutely secure in its deposits because of the first lien on bank assets given, thereby impairing the security of the other depositors of the bank upon the other assets of the bank. That is my answer to the gentleman from Illinois.

Now, if somebody will offer an amendment, or if I get the opportunity I would not mind offering it, that the present security required, which consists of Government bonds, shall be changed so that any public securities adjudged to be absolutely good in the opinion of the Secretary of the Treasury may be deposited, I shall have no objection to that. I refer to State or municipal or public securities, not private corporation securities of any description. But my objection to the proposition of the gentleman from New Jersey is that it does impair the security of the other depositors, and therefore weakens the safety of the banking system.

[Here the hammer fell.]

Mr. HILL of Connecticut. Mr. Chairman, I desire to state that I would like to secure a vote on the amendment offered by the gentleman from New Jersey; but I understand that the gentleman from Alabama [Mr. BOWIE] has an amendment to the amendment which he wishes to offer. I have no objection, but I wish to give notice to all Members that if the opportunity is afforded I shall ask a separate vote on this amendment, whatever it may be, when it comes into the House.

Personally I am opposed to interest in any form. I am in favor of maintaining the existing conditions, but I am glad to see these expressions of views.

Mr. BOWIE. Mr. Chairman, I offer as an amendment to the amendment of the gentleman from New Jersey the following:

*Provided, That all moneys so deposited shall be equitably distributed between the banks in the several States of this Union.*

Mr. FOWLER. Mr. Chairman, I accept that amendment.

Mr. SHERLEY. I would like to know, Mr. Chairman, whether the amendment offered by the gentleman from New Jersey is subject to division. There are, I believe, in this House a great many Members who desire to retain the competitive feature of bidding for these deposits and who also desire to do away with the security now required by law. If we may be permitted to vote on these distinct features offered by the gentleman from New Jersey, we desire to do so.

Mr. WILLIAMS of Mississippi. Do I understand the gentleman from New Jersey to accept the amendment offered by the gentleman from Alabama [Mr. BOWIE]?

Mr. FOWLER. Yes.

Mr. BARTLETT. That is not in his power; it is for the House to determine.

The CHAIRMAN. The amendment has not been yet reported by the Clerk. The Clerk will report the amendment to the amendment offered by the gentleman from Alabama to the amendment of the gentleman from New Jersey.

The Clerk read as follows:

*Amend the amendment by adding:*

*"Provided, That all moneys so deposited shall be equitably distributed among the several banks of the several States of the Union."*

Mr. SHERLEY. Mr. Chairman, I should like to have an answer to the parliamentary inquiry I proposed.

The CHAIRMAN. The Clerk will read Rule XVI.

Mr. COOPER of Pennsylvania. Mr. Chairman, I would like to ask the author of the amendment whether he intends that the amendment shall apply to private banks as well as national banks. He says "these several banks."

The CHAIRMAN. Rule XVI provides that "a motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor motion to strike out and insert."

This is a motion to strike out and insert, and under the rule it is not divisible.

Mr. HILL of Connecticut. Mr. Chairman, after the amendment has been acted upon, is it not subject to a further amendment? If the insertion is made as the gentleman suggests, is it not subject to further amendment?

Mr. COCKRAN of New York. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COCKRAN of New York. What is the status of this amendment?

The CHAIRMAN. In answer to the gentleman from Connecticut, the amendment to perfect the section ought to be made before there is any further amendment.

Mr. COCKRAN of New York. Is the amendment of the gentleman from Alabama now before the committee?

The CHAIRMAN. The amendment by the gentleman from Alabama to the amendment of the gentleman from New Jersey is before the committee.

Mr. COCKRAN of New York. I understand the Chair to say that it is in order?

The CHAIRMAN. It is in order.

Mr. THAYER. Mr. Chairman, I am in entire accord with what I understand to be the purpose of this last amendment, but it seems to me that it amounts to nothing; at least, it does not go far enough to suit me; it is that this money shall be equitably distributed. We presume, before beginning, that the Secretary of the Treasury would distribute this equitably, but there is an idea lurking about that perhaps some banks are more favored than others. I think that the way to legislate is to legislate in clear terms. Let it be, in effect, that these depositaries shall be in each State proportionate to the inhabitants of the State throughout the entire country or proportionate to the national-bank stock in each State, if the demand is made for the money, and then we shall know where we are. Simply to put in an amendment that it shall be equitably distributed, when we presume before beginning that it shall be equitably done, will amount to nothing. Let us provide that each State shall have the liberty and privilege of taking this money proportionate to the bank stock, the business, or population of the State, and then each State, if it wants the money, can have it.

Mr. COCKRAN of New York. May I ask the gentleman a question?

Mr. THAYER. Certainly.

Mr. COCKRAN of New York. Does the gentleman think that it will go to any other place than where trade requires it?

Mr. THAYER. I do not know whether it will go where trade requires it or not.

Mr. COCKRAN of New York. Would the banks demand it for any other purpose than the purpose of profit?

Mr. THAYER. I suppose not.

Mr. COCKRAN of New York. A profit to be obtained otherwise than through trade?

Mr. THAYER. That is a sort of logical question I am not now discussing. I am not going into that. I refer to the statement of the gentleman from Mississippi [Mr. WILLIAMS]. He says that these banks all over this country, if they can get this money at 2 per cent and loan it at 4 per cent, will be anxious to get the money, and I for one want that privilege to be given to every bank throughout the country on an equal footing, whether it is away out at some crossroads in the country or in Wall street, and I should like to have this bill contain a provision that would make it imperative upon the Secretary of the Treasury to give the money to the Western and the Southern States just as much as to New York, pro rata to the demands of the people.

Mr. COCKRAN of New York. Oh, I have no objection to that.

Mr. BARTLETT. Mr. Chairman, it is well in the conclusion of this debate that we undertake to find out the exact position of the bill before we vote upon the propositions now pending. The Committee of the Whole by its vote a few moments ago decided that it would adopt and did adopt the proposition offered to this bill by the gentleman from Mississippi [Mr. WILLIAMS], which was that the money should be deposited in those banks, under the rules and regulations now prescribed by law, who will pay the highest rates of interest. Now, the

proposition of the gentleman from New Jersey [Mr. FOWLER] is that this money shall be deposited in the banks without any security, as now provided by law, changing that section of the Revised Statutes, which would change the security, the kind of security that is required by the statute, into a security upon all the assets of the bank, the deposits not to exceed one-fourth of the unimpaired capital of the bank, the Government to have a first lien upon all assets of the bank for its security.

Now, I desire to suggest that under the law as it now exists all the stockholders of a national bank are personally liable to the extent of their stock for all the debts of the bank. The bank, if it should happen to fail—and the records show that a number of them do fail—would be called on to pay first the deposit of the Government. If the assets of the bank did not amount to enough to pay the deposits in the bank the stockholders would be first called upon to pay them and the depositors would be deferred to the Government, and the stockholders would be mulcted in the full amount of their stock if the assets of the bank did not pay the debts. Now, I do not agree with the gentleman from New York [Mr. COCKRAN] in his statement that the Government of the United States ought to be put behind all the other creditors of the bank because the Government has it in its power to ascertain the conditions of the bank and ought not to permit it to fail.

In my town the oldest national bank failed and closed its doors on the 16th of May last. The bank examiner examined the bank on the 14th of May and passed it. The 14th of May happened to be on a Saturday. He had hardly got out of town before, on the 16th day of May, which was Monday, he was overtaken by a telegram sent him to come back, stating that the bank had closed its doors. Now, I know that examiner, and I know him to be an honest and faithful man. He does not live in my part of the country, but lives somewhere in Illinois. He had undertaken to do his duty, and he had passed the bank. The assets of the bank appeared, upon their face and upon examination, to be all intact. I hope this amendment will not pass. If the banks desire to have the deposits of the Government's money, to borrow it—for that is what the deposit by the Government amounts to, a lending to the banks—let the national banks secure the Government, as now provided by law, by the deposit of Government bonds or such other security as the Secretary of the Treasury may require.

Mr. HILL of Connecticut. Mr. Chairman, to save time, I shall ask for tellers on the amendment in the first place.

Mr. BOWIE. Is it necessary to have tellers on the amendment to the amendment?

Mr. HILL of Connecticut. Oh, that is accepted.

Mr. BARTLETT. Oh, no, Mr. Chairman, I do not understand that it is in the power of any gentleman to accept an amendment.

Mr. FOWLER. I accept it and make it a part of my amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama to the amendment offered by the gentleman from New Jersey.

Mr. HITCHCOCK. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HITCHCOCK. What effect will the adoption of this amendment have on the amendment already adopted?

The CHAIRMAN. That is not a parliamentary inquiry. The gentleman can answer that for himself.

Mr. SCOTT. Mr. Chairman, I rise for a parliamentary inquiry. I understood the gentleman from New Jersey to accept the amendment of the gentleman from Alabama. Now, if he accepts it, does he not thereby make it part of his amendment, and must it not therefore stand with his amendment?

The CHAIRMAN. The gentleman from New Jersey can not act for the Committee of the Whole; they must pass upon the question. The question is on agreeing to the amendment offered by the gentleman from Alabama to the amendment offered by the gentleman from New Jersey.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. BARTLETT. Division, Mr. Chairman.

The committee divided; and there were—ayes 138, noes 14.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from New Jersey as amended.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. WILLIAMS of Mississippi. Division, Mr. Chairman.

Mr. HILL of Connecticut. Mr. Chairman, I call for tellers. Let us have tellers.

Mr. WILLIAMS of Mississippi. Well, let us have tellers.

Tellers were ordered.

The CHAIRMAN. The gentleman from New Jersey, Mr. FOWLER, and the gentleman from Mississippi, Mr. WILLIAMS, will take their places as tellers.

The committee again divided; and the tellers reported—ayes 101, noes 125.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. That so much of an act entitled "An act to enable national banking associations to extend their corporate existence, and for other purposes," approved July 12, 1882, as prohibits the deposit of more than \$3,000,000 of lawful money during any calendar month for the purpose of withdrawing circulating notes is hereby repealed, and all other acts or parts of acts inconsistent with the provisions of this section are hereby repealed.

Mr. HILL of Connecticut. Mr. Chairman, I offer an amendment.

Mr. BARTLETT. Mr. Chairman—

The CHAIRMAN. The gentleman from Connecticut has been recognized.

Mr. HILL of Connecticut. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Connecticut offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Strike out section 2 and insert in lieu thereof the following:

"SEC. 2. That section 9 of an act entitled 'An act to enable national banking associations to extend their corporate existence, and for other purposes,' approved July 12, 1882, and amended by the act of March 14, 1900, be, and hereby is, amended to read as follows:

"SEC. 9. That any national banking association now organized or hereafter organized desiring to withdraw its circulation notes upon a deposit of lawful money with the Treasurer of the United States as provided in section 4 of the act of June 20, 1874, or as provided in this act, is authorized to deposit lawful money and withdraw a proportionate amount of the bonds held as security for its circulating notes in the order of such deposits: *Provided*, That not more than \$3,000,000 of lawful money shall be deposited during any calendar month for this purpose, or such greater amount as the Secretary of the Treasury may from time to time prescribe: *And provided further*, That the provisions of this section shall not apply to bonds called for redemption by the Secretary of the Treasury, nor to the withdrawal of circulating notes in consequence thereof."

Mr. HILL of Connecticut. Mr. Chairman, just one word of explanation—

Mr. WILLIAMS of Mississippi. Before the gentleman proceeds, I think the Clerk read "not more than \$3,000,000 to be deposited." It was intended "not more than \$3,000,000 to be withdrawn," of course. The Clerk read the amendment "not more than \$3,000,000 to be deposited."

Mr. HILL of Connecticut. No; that is right. Lawful money to be deposited by the banks to withdraw their bills.

Now, Mr. Chairman and gentlemen, the committee reported in favor of removing the limit of \$3,000,000 a month on the withdrawal by the banks of national-bank note circulation. The gentleman from Georgia will pardon me for reading from his report. He says, "I would be willing to vote for a proposition to increase the limit from \$3,000,000 to \$6,000,000 per month, but I deem it unwise and not in the interest of anyone except the national banking associations to repeal the limit altogether." The Secretary of the Treasury has prepared and given to me an amendment, or a proposition which I will submit as an amendment, which I think will meet the views of all parties both of the minority and majority of the committee.

Mr. BARTLETT. Mr. Chairman, may I ask the gentleman to state the difference between his amendment and the present law?

Mr. HILL of Connecticut. I will. The present law limits the withdrawal to within \$3,000,000 a month.

Mr. BARTLETT. Not more than.

Mr. HILL of Connecticut. Not more than. This is the last limitation existing upon the national-bank note circulation. The report of the committee was in favor of striking off the limit and giving to the national-bank note circulation all flexibility that could be secured from a bond-secured currency. Now, in order to meet the wishes of even those who think that that might be unwise I have offered this substitute, and it differs from the present law only in the words which I will read: "Or such greater amount as the Secretary of the Treasury may from time to time prescribe." In other words, the \$3,000,000 limit remains, and it is within the power of the Secretary of the Treasury to enlarge that amount from time to time if circumstances justify it. Now, just one word, and I will be very brief.

This limit of \$3,000,000 was in force when we had one hundred and twenty millions in circulation. It is in force now, when we have \$470,000,000 of circulation. I think the question is whether you will leave it where it is or whether you will make some variation according to the amount of the circulation. If our circulation should increase to a thousand millions, you see that



the simple effect of leaving it as it is would be to tie it up tighter and tighter all the time. Now, the gentleman from Georgia [Mr. BARTLETT] objects, as other gentlemen object, that it ought not to be left in the power of the banks to withdraw at will. The amendment does not leave it with the banks, but does leave it with the Treasury Department to absolutely control the situation, and I think any gentleman would concede that there should be either a percentage of withdrawal or a removal of the limit.

Mr. WILLIAMS of Mississippi. Would the gentleman from Connecticut [Mr. HILL] object to adding to his amendment, after that part of it which says "within the discretion of the Secretary of the Treasury," substantially these words:

Not to exceed \$7,000,000 in any one month.

My reason for putting it at seven is that, according to my calculation, roughly, seven bears the same relationship to the amount of the outstanding note circulation to-day that three did at the time the law was originally enacted.

Mr. HILL of Connecticut. I would not object at all to 3 per cent, but you are legislating for the next ten years, and the circulation may be a thousand millions at that time.

Mr. WILLIAMS of Mississippi. What is the percentage of seven millions now?

Mr. HILL of Connecticut. Three per cent is about the same proportion.

Mr. WILLIAMS of Mississippi. Then the gentleman would not object to saying:

Not to exceed 3 per cent in any one month.

Mr. HILL of Connecticut. I would not object to that. It simply says to the Secretary, then, you shall not exceed 3 per cent. He can refuse to allow any more.

Mr. WILLIAMS of Mississippi. My object is this, if the gentleman from Connecticut [Mr. HILL] will pardon me for just one moment. This system has worked very well, as far as that feature is concerned, thus far, except the circulation has increased so much the percentage bears a smaller relationship. I would like to keep that same relationship. Whatever the percentage is that will make about seven millions now, I would like the gentleman to accept an amendment covering the same, making it 3 per cent.

Mr. BARTLETT. Two per cent on four hundred and fifty-five million dollars.

Mr. WILLIAMS of Mississippi. I do not know whether the gentleman from Georgia [Mr. BARTLETT] will agree with me or not, but if he would agree with me to accept "not to exceed 2 per cent in any one month" I would be very glad to settle this point right here.

Mr. HILL of Connecticut. Well, if we were legislating for but one—

Mr. WILLIAMS of Mississippi. But 2 per cent will expand.

Mr. HILL of Connecticut. The circulation is bound to expand.

Mr. WILLIAMS of Mississippi. When you say not to exceed 2 per cent it will expand with the circulation, the same not to exceed 2 per cent of the amount of the notes outstanding.

Mr. BARTLETT. I move to amend the amendment of the gentleman from Connecticut [Mr. HILL] with these words:

Not to exceed 2 per cent in any one month of the notes then outstanding.

I hope this will give, Mr. Chairman, the right to retire over \$8,000,000 if the circulation remains as it now is.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of line 2 insert:

"Not to exceed 2 per cent in any one month of the notes then outstanding."

Mr. HILL of Connecticut. I accept the amendment.

The CHAIRMAN. The question is now on agreeing to the amendment offered by the gentleman from Georgia [Mr. BARTLETT] to the amendment offered by the gentleman from Connecticut [Mr. HILL].

The amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from Connecticut [Mr. HILL] as amended.

The amendment as amended was agreed to.

Mr. HILL of Connecticut. Mr. Chairman, I ask unanimous consent that the third section may be passed over temporarily, and that we may take up 4 and 6, which necessarily must be acted upon together.

Mr. BARTLETT. I have no objection to that.

Mr. HILL of Connecticut. I will call it up again in a few moments. I ask that sections 5 and 6 may be read together and acted upon together.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

SEC. 5. That section 6 of an act approved March 14, 1900, entitled "An act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," be, and is hereby, amended by striking out the word "twenty" in the first clause of said section and inserting in lieu thereof the word "ten," so that said first clause of said section shall read as follows:

"That the Secretary of the Treasury is hereby authorized and directed to receive deposits of gold coin with the Treasurer or any assistant treasurer of the United States, in sums of not less than \$10, and to issue gold certificates therefor in denominations of not less than \$10, and the coin so deposited shall be retained in the Treasury and held for the payment of such certificates on demand, and used for no other purpose."

SEC. 6. That section 12 of an act approved March 14, 1900, entitled "An act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," be, and is hereby, amended by striking out from the second proviso in said section the following words: "except that no national banking association shall, after the passage of this act, be entitled to receive from the Comptroller of the Currency, or to issue or reissue or place in circulation, more than one-third in amount of its circulating notes of the denomination of \$5," so that said proviso of said section shall read as follows: "And provided further, That the circulating notes furnished to national banking associations under the provisions of this act shall be of the denominations prescribed by law."

The Clerk read as follows:

SEC. 4. That section 6 of an act approved March 14, 1900, entitled "An act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," be, and is hereby, amended by striking out the word "twenty" in the first clause of said section and inserting in lieu thereof the word "ten," so that said first clause of said section shall read as follows:

"That the Secretary of the Treasury is hereby authorized and directed to receive deposits of gold coin with the Treasurer or any assistant treasurer of the United States, in sums of not less than \$10, and to issue gold certificates therefor in denominations of not less than \$10, and the coin so deposited shall be retained in the Treasury and held for the payment of such certificates on demand, and used for no other purpose."

Mr. FOWLER. Mr. Chairman, I would like to offer an amendment to that section. On page 3, line 14, strike out the word "ten" and insert the word "five."

The Clerk read as follows:

SEC. 5. That section 12 of an act approved March 14, 1900, entitled "An act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," be, and is hereby, amended by striking out from the second proviso in said section the following words: "except that no national banking association shall, after the passage of this act, be entitled to receive from the Comptroller of the Currency, or to issue or reissue or place in circulation, more than one-third in amount of its circulating notes of the denomination of \$5," so that said proviso of said section shall read as follows: "And provided further, That the circulating notes furnished to national banking associations under the provisions of this act shall be of the denominations prescribed by law."

Mr. HILL of Connecticut. Mr. Chairman, the gentleman from New Jersey offers an amendment to section 5 of the original bill.

The Clerk read as follows:

On page 3, line 14, strike out the word "ten" and insert the word "five."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WILLIAMS of Mississippi. I do not think, Mr. Chairman, the House understands that amendment.

Mr. HILL of Connecticut. I will try to explain the situation as it is now. The law to-day limits the national banks in issuing notes to one-third of their circulation in five-dollar denominations, but the law authorizes silver certificates in denominations of not less than \$10, so that there is a great difficulty in getting a supply of small bills throughout the country. The demand for the issuance of the five-dollar bills has compelled the Treasury Department to hold a large part of the silver certificates in the denomination of \$5, so that they can not be cut up into ones and twos. The Treasury Department is being appealed to, as shown in their last report, for the issuance of ones and twos in silver certificates. Here is what the Treasurer says. It is very brief:

No rule can be set up by theory of the proper ratio of the several denominations to each other. The needs of business must be recognized and obeyed. Those needs clamor vociferously for small bills as instruments of local trade. The appeal is not confined to any particular district. It comes from the cotton and sugar regions, as well as from the States which produce wheat and corn, cattle and swine. Cities and towns where the pay rolls for factories and furnaces are large assert the same urgency.

Congress has within its power to add to the volume of small denominations without inflating the currency. First, gold certificates may be authorized for \$5 and \$10—

That is this proposition. The proposition which the committee reported was \$10. The gentleman from New Jersey has offered an amendment making it \$5—

instead of restricting the issue, as now, to \$20 and above—

As the second clause might raise a question as to the retirement of the greenbacks it was left out of the bill—

second, for the United States notes such certificates may be substituted to the amount of \$50,000,000 at once by the application of that sum

from the reserve, and a like sum may wisely be used annually from the inflow of gold; third, the national banks may be permitted to issue any part of their circulation in \$5 notes by the repeal of the provision allowing only one-third of their respective totals in that denomination.

Under such modifications enough \$5 notes could be issued for the requirements of the present and the immediate future. Relief on that line would permit a larger share of silver certificates to serve as \$1 and \$2, with such amount in \$5 as experience might prove to be desirable.

Doubtless if the matter were sent to a referendum the popular majority would pronounce for an adequate supply of small bills. Possibly Congress can devise some wiser and more efficient method to stop complaint and friction in the business community. Surely the existing difficulties are not without remedy.

That is all these two sections cover, giving the national banks the privilege of having these \$5 denominations, the \$5 and \$10 gold certificates, enabling the Treasury to cut up the present tens and twenties of silver certificates into ones and twos. It is purely an administrative measure, and I do not think anyone can object to it.

Mr. WILLIAMS of Mississippi. I do not think there is any objection over here.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

SEC. 7. That every national banking association having United States bonds on deposit to secure its circulating notes shall pay to the Treasurer of the United States, in the months of January and July, a tax of one-fourth of 1 per cent each half year upon the average amount of its notes in circulation, and such taxes shall be in lieu of all existing taxes on circulating notes of national banking associations.

The amendment recommended by the committee was read, as follows:

Strike out all of the section.

Mr. HILL of Connecticut. Mr. Chairman, before striking out the section, or acting on the committee amendment, I would like to make a statement. I offer an amendment for the purpose of perfecting the section. The section as originally drawn provided for an equal taxation against circulating notes issued against any United States bonds. The committee did not think that that was wise, and that by putting in the 3 and 4 per cent bonds at one-half of 1 per cent, at the same rate as the twos, it might interfere with the refunding of these bonds. Now, then, it becomes necessary, if we are to float the Panama bonds at 2 per cent at par, that the tax should be one-half instead of 1 per cent. The Secretary therefore desires that it should cover all the bonds except the existing threes and fours. He does want to bring in the Panama Canal bonds on the same basis as the present 2 percents, so that all which have the same rate of interest will carry the same rate of taxation on circulation.

This is all this amendment does, and I offer this amendment to the section. I shall then ask that the motion of the committee to strike out be voted down. That is all there is to it. There is no other change. I ask that the amendment be reported, Mr. Chairman. I think everybody will agree to it.

Mr. WILLIAMS of Mississippi. Do I understand that this merely makes the Panama bonds bear the same rate of taxation as the other twos?

Mr. HILL of Connecticut. Precisely the same, and if the parity bond provided for in the gold-standard act should ever be issued it would subject them to the same tax. None ever have been issued, and probably none ever will be.

Mr. WILLIAMS of Mississippi. And it makes no change as to the threes and fours?

Mr. HILL of Connecticut. None at all. The gentleman will see that it excepts everything else.

The CHAIRMAN. The gentleman moves to strike out section 7 and insert the amendment which the Clerk has reported.

Mr. HILL of Connecticut. Mr. Chairman, the amendment has not been reported.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

That every national banking association having United States bonds on deposit to secure its circulating notes shall pay to the Treasurer of the United States, in the months of January and July, a tax of one-fourth of 1 per cent each half year upon the average amount of its notes in circulation, and such taxes shall be in lieu of all existing taxes on circulating notes of national banking associations: *Provided*, That the provisions of this section shall not apply to circulating notes secured by bonds issued under the following titles, or any reissue of such bonds bearing the same rates of interest:

Loan of 1908-1918, authorized under act approved June 13, 1898, and bearing interest at the rate of 3 per cent per annum.

Refunding certificates, authorized under act approved February 26, 1879, and bearing interest at the rate of 4 per cent per annum.

Loan of 1925, authorized under act approved January 14, 1875, and bearing interest at the rate of 4 per cent per annum.

Mr. BARTLETT. Mr. Chairman, I desire to ask the gentleman from Connecticut a question. The Committee on Banking and Currency reported to the House that section 7 should be stricken out of the bill. That is the committee amendment. Now, my understanding of the reading of the amendment offered by the gentleman from Connecticut [Mr. HILL] was to restore

that section in its entirety, with a proviso with reference to the Panama bonds.

Mr. HILL of Connecticut. With a proviso with reference to the existing bonds that are outstanding, excepting them from the provisions of the act and allowing the Panama bonds to come in. That is all that it does. It is in accord with the views of the committee, if they are willing that the Panama bonds should be subject to one-half of 1 per cent taxation.

Mr. WILLIAMS of Mississippi. Are all other 2 per cent bonds subject to a half of 1 per cent tax?

Mr. HILL of Connecticut. Yes; all of them.

Mr. BARTLETT. I want to find out whether this amendment leaves this section as the committee reported it with the exception of the gentleman's amendment.

Mr. HILL of Connecticut. It does, with the exception of the Panama bonds that are already authorized and with the exception of a possible issue, in some distant future, of the parity bonds provided for in the gold-standard act.

Mr. BARTLETT. Is that the understanding of the chairman of the committee?

Mr. FOWLER. Yes; that is correct. It eliminates the threes and fours, so that they may be funded at any time in the future, precisely as all other bonds have been funded.

Mr. HILL of Connecticut. What we want to do is to vote up the amendment and vote down the committee amendment. Mr. Chairman, I call for a vote.

The CHAIRMAN. The Chair would like to state the parliamentary situation. The motion of the gentleman from Connecticut [Mr. HILL] proposes to strike out and insert, and in case that motion prevails the committee would not be at liberty thereafter to strike out the section inserted. This is in the nature of a perfecting of this paragraph.

Mr. HILL of Connecticut. My own thought was that the motion was to strike out in accordance with the report of the committee, and to insert; but after conferring with gentlemen I was informed that the proper parliamentary form in which to put the motion would be, first, to amend the section as it stood, and then to vote down the committee amendment to strike out.

The CHAIRMAN. That is right.

Mr. HILL of Connecticut. So that I offer that amendment.

The CHAIRMAN. The committee would not have to vote it down, if the motion of the gentleman from Connecticut should prevail.

Mr. HILL of Connecticut. Very well; I offer the amendment, then.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Connecticut [Mr. HILL], to strike out section 7 and insert that which has already been read by the Clerk.

The motion was agreed to.

Mr. HILL of Connecticut. I now ask to go back to section 3.

The CHAIRMAN. The Clerk will read section 3.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BUTLER of Pennsylvania having taken the chair as Speaker pro tempore, sundry messages in writing from the President of the United States were communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

#### CURRENCY BILL.

The committee resumed its session.

The Clerk read as follows:

SEC. 3. That the Secretary of the Treasury is hereby authorized, without regard to any heretofore prescribed limit of amount of subsidiary silver coinage, and as public necessities may demand from time to time, to recoin standard silver dollars into such authorized denominations of subsidiary silver coin as he may deem necessary to meet public requirements.

The committee amendment was read, as follows:

In line 16, after the word "dollars," insert "from cash in the general fund in the Treasury."

Mr. THAYER. Mr. Chairman, I move to amend this section by adding at the end of line 18 the words:

*Provided, however*, That the amount recoined in any one year shall not exceed \$15,000,000.

The CHAIRMAN. The gentleman from Massachusetts offers the amendment which the Clerk will report.

The Clerk read as follows:

At the end of line 18, section 3, insert: "*Provided further*, That the amount recoined in any one year shall not exceed \$15,000,000."

Mr. HILL of Connecticut. Mr. Chairman, I will accept that amendment.

Mr. WILLIAMS of Mississippi. The gentleman can not accept an amendment without unanimous consent.

Mr. HILL of Connecticut. I shall vote for the amendment.

Mr. THAYER. Mr. Chairman, I want to say a word. It is generally understood that it requires now from eight to ten mil-



lion dollars of money each year for subsidiary coin, and it seems to me that instead of leaving this open to the Secretary of the Treasury to recoin all of this five hundred millions of money if he saw fit, in one, two, or three years, or any term of years, he ought to be restricted by a provision that there shall be re-coined out of the silver dollars in the Treasury not more than what is necessary for the use of the country in subsidiary coin. Fifteen millions in one year is all that will probably be demanded for many years to come.

Mr. MADDOX. Mr. Chairman, I want to ask the gentleman from Connecticut how much silver there is available in the Treasury to be coined into subsidiary coin?

Mr. HILL of Connecticut. On the 1st day of January there were 558,484,000 silver dollars; dollars held against Treasury notes, 9,280,000, that have not been issued. Of bullion there was \$1,788,000, all of this in the reserve fund of the Treasury and could not be used. That makes a total of dollars on the 1st day of January of \$569,473,213, of which there were in circulation \$80,039,395, leaving \$489,000,000 in the Treasury. There were covered by certificates \$477,102,000, leaving \$12,331,818. There was an amount of subsidiary coin at the same time, \$112,171,494.

Now, the gentleman will pardon me, for I think he would like to have all the facts in the case. I have here a letter from the Director of the Mint, and if he has no objection I will send it to the Clerk's desk and have it read.

Mr. MADDOX. If it answers the question the gentleman can send it up. But what I want to know, and the gentleman can answer this now, is, Is it proposed by this bill to coin these silver dollars in the Treasury that are now represented in currency of the country by certificates, at the discretion of the Secretary of the Treasury?

Mr. HILL of Connecticut. Yes; from time to time.

Mr. MADDOX. What are you going to do about the certificates?

Mr. HILL of Connecticut. Oh, I misunderstood the gentleman. No; the certificates would have to be retired from time to time. We do not propose to recoin the dollars stored in the Treasury as a trust fund against these certificates without retiring the certificates.

Mr. MADDOX. I want you to give us the exact amount available in the Treasury for this purpose.

Mr. HILL of Connecticut. I have given the gentleman the amount.

Mr. MADDOX. How much is it possible to recoin of this money into subsidiary coin in a year?

Mr. HILL of Connecticut. We have averaged a little over \$10,000,000 a year for the last four years.

Mr. MADDOX. How much is available of the silver there, representing the outstanding certificates?

Mr. HILL of Connecticut. Besides the existing certificates there is a sum of \$12,331,818.

Mr. MADDOX. That would be all at present that would be available for that purpose?

Mr. HILL of Connecticut. No; all the certificates would be available for the purpose. All the Treasurer would have to do would be to cancel the certificate and recoin the dollars from time to time.

Mr. MADDOX. In other words, this is an act to retire the silver currency of the country?

Mr. HILL of Connecticut. There need be no misunderstanding about it. It is converted from legal-tender dollars into subsidiary coin from time to time, as the necessities of the country require more of that subsidiary coin.

Mr. MADDOX. To retire the five hundred millions of certificates and take them out of circulation.

Mr. HILL of Connecticut. No; not to take it out of circulation.

Mr. MADDOX. To reduce the circulation to that amount.

Mr. HILL of Connecticut. Simply to change the form of it from time to time, as the necessities of the country require more subsidiary coin.

Mr. MADDOX. It is legal tender now, and it will not be after you recoin it.

Mr. HILL of Connecticut. The certificates are not legal tender, and the dollar itself circulates only to the extent of \$80,000,000.

Mr. MADDOX. What is the reason it is not legal tender?

Mr. HILL of Connecticut. It is not made so by law any more than the national-bank note.

Mr. MADDOX. It passes as such.

Mr. HILL of Connecticut. The silver certificate is not and never has been legal tender, and that is where I think the gentleman is mistaken. We are not reducing by this means the quantity of legal tender that is in actual circulation.

Mr. MADDOX. We are reducing the currency, however, which takes the same place as legal tender.

Mr. HILL of Connecticut. Oh, not at all. We are simply changing its form. I will state to the gentleman that the volume of currency by this means will be increased 7 per cent.

Mr. MADDOX. Well, I think the gentleman is dodging the question, as I take it.

Mr. HILL of Connecticut. Not at all.

Mr. MADDOX. We can take the silver certificate and redeem the silver.

Mr. HILL of Connecticut. Yes.

Mr. MADDOX. Then is not the silver legal tender?

Mr. HILL of Connecticut. Yes, the silver dollar is legal tender.

Mr. MADDOX. Why, certainly, and this means that you will reduce the circulation of the country by half a billion of dollars.

Mr. BARTLETT. Mr. Chairman—

Mr. HILL of Connecticut. Mr. Chairman, will the gentleman allow me to have this letter from the Director of the Mint read before he proceeds?

Mr. BARTLETT. Mr. Chairman, I am perfectly willing to have that done, but I do not want it to be taken out of my time.

Mr. HILL of Connecticut. I think it goes right to the question which the gentleman from Georgia [Mr. MADDOX] asks in regard to the quantity of legal tender.

Mr. BARTLETT. Mr. Chairman, I do not want this to be taken out of my time—this reading of the letter. I have no objection to having the letter read, but first I shall proceed to make my motion, and I shall submit some remarks on the subject. I move to strike out the third section in its entirety. The third section provides for the coinage into subsidiary coin by the Secretary of the Treasury of the United States of all the standard silver dollars which now are in the Treasury, to the amount stated by the gentleman. It is not necessary to state it now, but the amount on the 4th of January was \$477,250,000. They are pledged under the act of 1900 for the redemption of an equal amount of silver certificates. Section 4 of that act provides that there shall be transferred from the amounts of the general fund of the Treasury of the United States, etc., the silver dollars, and that these silver dollars shall be held against outstanding silver certificates, and the silver dollars held against these amounts shall be used for the redemption of the notes and certificates for which they are respectively pledged, and shall be used for no other purpose, the same being held as a trust fund. Section 7 of this act of 1900 provides the same thing.

The silver certificates now outstanding, for which the silver dollars are pledged as a redemption fund, represent so much legal tender. The gentleman is mistaken when he says they are not legal tender and that they are on the same footing with national-bank notes. They pay debts which national-bank notes can not pay. They pay even customs dues. They pay all dues to the United States and all dues by the United States. The silver dollar used now is a full legal tender for 100 cents, except where otherwise provided in the contract. You can take the silver certificate and if your creditor will not receive it, but demands that you give him a silver dollar, you can pay him, unless your contract is a contract to pay gold for all legal tender, for every dollar you owe. You propose by this section to convert this full legal-tender money, when not otherwise provided in the contract, into subsidiary coin—into halves, quarters, and dimes. Under the law the halves, quarters, and dimes can pay only \$10 of indebtedness at any one time.

You can do more. You can take them, when you carry them in the amount of \$100, to the Treasury of the United States and have them redeemed in gold. You therefore will retire for every dollar you coin into subsidiary coin a silver certificate, and they amount in all to about \$470,000,000. You retire that from the currency of the country, and the object and purpose of this bill and its author is to retire it, that the national-bank notes may supplant and take the place of the silver certificates. When you have taken this step, then the next step in the way of turning the whole currency of the Government over to the national banks is to retire the greenbacks and the Treasury notes. I do not desire nor shall I undertake to discuss any question with reference to silver coinage; but when you do this—when you authorize the Secretary of the Treasury to coin into subsidiary coin these standard silver dollars, now pledged as a redemption fund for the outstanding silver certificates—you put an additional pressure and burden upon the gold reserve, you reduce the currency, you make the gold reserve amenable to redeem every hundred dollars of silver dollars that you convert into subsidiary coin.

Now, Mr. Chairman, I am not ready to do that. I have here

a letter from the Treasurer of the United States which I will read.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BARTLETT. Mr. Chairman, I ask for a few minutes in order to conclude.

The CHAIRMAN. Without objection the gentleman will be allowed to conclude. [After a pause.] The Chair hears no objection.

Mr. BARTLETT. I addressed a letter to the Treasurer of the United States asking him this question: What amount of silver bullion is now in the United States Treasury from which subsidiary silver could be coined other than the standard silver dollars? His reply is as follows:

TREASURY DEPARTMENT,  
OFFICE OF THE TREASURER OF THE UNITED STATES,  
Washington, D. C., December 13, 1904.

Hon. C. L. BARTLETT,  
House of Representatives.

SIR: Your letter of this date relative to the amount of silver bullion now in the United States Treasury, etc., is received.

You are advised as follows, repeating your inquiries in the order made:

(1) What amount of silver bullion is now in the United States Treasury, and how much from which subsidiary silver can be coined, other than standard silver dollars?

The holdings of the Treasury are on the following accounts:

Silver bullion purchased under the act of July 14, 1890, and held for the redemption of outstanding Treasury notes	\$1,907,471.00
Silver bullion from partings, etc.	945,926.36
Silver bullion from uncurrent subsidiary silver coin melted for recoinage	1,793,236.72
<b>Total</b>	<b>4,646,634.08</b>

The entire holdings of the Treasury in silver bullion can be coined into subsidiary silver under the law in force at the present time.

(2) How many standard silver dollars have been coined from bullion in the Treasury since March 4, 1897?

\$123,953,919 from bullion purchased under the act of July 14, 1890.

(3) If Congress should authorize the coinage of the standard silver dollars into subsidiary silver coin, what provision should be made to meet the outstanding silver certificates, for the redemption of which silver dollars have been deposited in the Treasury?

It will not be necessary to make any provision, as the recoinage of standard silver dollars into subsidiary coin would be made from the silver dollars in the Treasury not covered by outstanding silver certificates. The issue of silver certificates against the silver dollars in the general fund of the Treasury is governed by the conditions prevailing in this Office, and if at any time the silver dollars in the general fund should be exhausted the same may be replenished by canceling and retiring a part of the silver certificates held in the general fund, thereby releasing from the trust funds to the general fund the standard silver dollars held to redeem the silver certificates so canceled and retired.

The Department, in maintaining the parity of all kinds of money issued under authority of the United States, makes no discrimination in payments, where they can be made without inconvenience. Large amounts of silver certificates are redeemed daily in moneys other than silver dollars, thus releasing silver dollars to the general fund for such purposes as the public demand may require.

Respectfully,

ELLIS H. ROBERTS,  
Treasurer of the United States.

Mr. Chairman, we have already for the purpose of subsidiary coinage, or had on December 13, 1904, \$4,646,000 in silver bullion which can be used for the purpose of coining subsidiary coin. The entire holding of the Treasury in silver bullion can be coined into subsidiary coins under the law in force at the present time, so that there is no necessity for the Treasury—

Mr. GAINES of Tennessee. I would like to ask my friend a question.

Mr. BARTLETT. Yes; of course.

Mr. GAINES of Tennessee. How much subsidiary coin will that make?

Mr. BARTLETT. About \$5,000,000, I suppose, or more.

Mr. GAINES of Tennessee. Does he give the amount there?

Mr. BARTLETT. He did not. I believe the gain is about 7 per cent. The gentleman can make the calculation himself.

Mr. GAINES of Tennessee. I thought probably he had compiled it there, so you could give it to us.

Mr. BARTLETT. I have not the amount here, but the gentleman can calculate it himself. The gain is about 7 per cent in coining silver bullion into a subsidiary coin.

Mr. HILL of Connecticut. Oh, no; there is a profit.

Mr. BARTLETT. I mean a gain; that is right.

Mr. HILL of Connecticut. It would be about 7 per cent more circulation.

Mr. GAINES of Tennessee. How much is it in dollars and cents? That is what I want to get at.

Mr. BARTLETT. It would be about three hundred thousand odd dollars added to the \$4,646,000.

Now, Mr. Chairman, I do not want particularly to go into the figures. It is not a matter of figures; it is a matter of principle. It is a matter whether the Government, whether Congress, intends to destroy the legal-tender value of this vast amount of money and to take from the trust fund which we

have pledged to the country by the passage of the act of 1900 for the redemption of silver certificates and coin it into subsidiary silver, coin. Mr. Chairman, this Banking and Currency Committee had no jurisdiction on this subject. It should have gone to the Committee on Coinage, Weights, and Measures, and the report from this committee is an assumption of authority which ought not to be tolerated by the House.

Mr. GAINES of Tennessee. We had the same bill three years ago before the Coinage Committee, and Mr. HILL was a member.

Mr. BARTLETT. It was not passed, Mr. Chairman. This will reduce the amount of the circulating medium in the country. It will put upon the present gold reserve and the amount of gold we have in this country an additional burden. This bill and all bills like it is but the forerunner of other bills to contract the currency. The purpose is to contract the currency for the benefit of the national banks.

I say this not because I am in favor of the silver dollar particularly, but because I am in favor of the people of the United States having a full measure of money to carry on their business, and because I am opposed to a contraction of the currency; because I am opposed to the benefit that must follow only to the national banks, that I insist that this legislation is vicious, against the interest of the people, and should not be sanctioned; that I protest against the beginning of a scheme which will eventually destroy nearly five hundred millions of the money of the people, of the Government, issued as a part of the functions of government, and leave its place to be supplied by the national-bank currency, which will be increased or diminished as the interest of the national banks may require. For myself I am not ready to thus put the interest of the people at the mercy of the banks. [Applause.]

Mr. LITTLE. I understand that an amendment to strike out section 3 is pending. I would like to know whether a motion to strike out and insert is in order at this moment?

The CHAIRMAN. There is a committee amendment pending and an amendment offered by the gentleman from Massachusetts [Mr. THAYER].

Mr. LITTLE. I offer a motion to strike out section 3 and insert the following—

Mr. HILL of Connecticut. Mr. Chairman, some time ago I understood that I was given permission to have a letter from the Director of the Mint read from the desk. It has not been read. I think it would give information to gentlemen, and I would state that when that letter has been read I will ask that the committee rise. I ask unanimous consent that the letter be now read.

The CHAIRMAN. The question is now on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. THAYER].

Mr. GAINES of Tennessee. Mr. Chairman, a parliamentary inquiry. I would like to know what the motion is.

The CHAIRMAN. Without objection, the Clerk will read it. The Clerk read as follows:

At the end of line 18, section 3, insert: "Provided, however, That the amount recoined in any one year shall not exceed \$15,000,000."

The question was taken; and on a division there were—ayes 121, noes 54.

So the amendment was agreed to.

Mr. HILL of Connecticut. I move the committee do now rise.

The CHAIRMAN. The question now is on agreeing to the committee amendment.

Mr. LITTLE. I desire to have my amendment read.

The Clerk read as follows:

Strike out section 3 and insert:  
"The Secretary of the Treasury is hereby authorized to purchase such silver bullion as may be necessary and to coin the same into such authorized denominations of subsidiary silver coin as he may deem necessary to meet public requirements, without regard to any heretofore prescribed limit."

The CHAIRMAN. Does the gentleman from Connecticut [Mr. HILL] understand that there is a committee amendment pending? Of course if the gentleman insists on his motion to rise, it takes precedence.

Mr. HILL of Connecticut. I supposed the amendments pending had been disposed of, and if I am correct in that supposition I move that the committee do now rise.

The CHAIRMAN. The gentleman is not correct. There is an amendment pending.

Mr. LITTLE. I have an amendment pending. Am I recognized? I only desire to say that the purpose of the amendment offered by myself is simply to authorize the Secretary of the Treasury to purchase such an amount of silver bullion as may be necessary to meet the demands for the subsidiary coinage of the country. I do this because I do not believe in unnecessarily interfering with the circulation that is giving us pretty fair times in this country. They claim that we can make 7 per cent



by recoin the silver dollar. I believe we can make 50 per cent by buying the bullion and coining it into subsidiary coin, if we desire to put the question on a speculative basis.

I am sure there is nobody, without regard to his belief as to the standards, that does not think that we ought to have a sufficient amount of small change to meet the demands of the business of the country, and we can get it cheaper by buying the silver bullion and coining it, and not have the effect of withdrawing from circulation any of the silver certificates now in circulation based on the silver in the Treasury.

Mr. WILLIAMS of Mississippi. Are you moving to strike out the section?

Mr. LITTLE. I am seeking to authorize the Secretary of the Treasury to purchase bullion for subsidiary coinage.

Mr. WILLIAMS of Mississippi. Then you are simply offering the provision that the Senate passed, and which was offered by the Senator from Rhode Island [Mr. ALDRICH].

Mr. LITTLE. Yes, sir; I am only asking the House to take the action that has already been taken by the Senate. I can not understand why it should not be accepted at once by the House. It does not change our monetary conditions; it does not interfere with our existing circulation; it only provides for a supply of subsidiary coinage by the coinage of silver bullion to be purchased by the Secretary of the Treasury.

Mr. BONYNGE. Will the gentleman allow me to ask him a question?

Mr. LITTLE. Certainly.

Mr. BONYNGE. Is it not a fact that the Attorney-General has advised the Secretary of the Treasury that under existing law he now has the power and authority which you seek to confer upon him by the amendment that you have offered?

Mr. LITTLE. I am not informed as to that, but I do not doubt the statement of the gentleman; and if we put that in this bill we will put it above mere construction and there will be no question. If we follow the lead of the Senate in this matter, we will have no trouble.

Mr. HILL of Connecticut. I now renew my motion that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DALZELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 4831 and had come to no resolution thereon.

Mr. LITTLE. A parliamentary inquiry.

The SPEAKER. One moment. For what purpose does the gentleman rise?

Mr. LITTLE. I desire to ask a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. LITTLE. That is whether or not the action of the committee in rising, which, I confess, was a short-lived affair, leaves the amendment offered by myself pending to the bill, and whether or not I shall be entitled to the floor when the committee next considers the bill?

The SPEAKER. The present occupant of the chair is not aware of what took place in the Committee of the Whole, and will not preside over the Committee of the Whole, and it would be impossible for him to tell.

Mr. LITTLE. The gentleman from Tennessee [Mr. GAINES] suggests it would be better not to tell, and I agree with him. [Laughter.]

#### ERASURE OF SIGNATURE OF SPEAKER FROM ENROLLED BILL.

Mr. LACEY. Mr. Speaker, I ask unanimous consent that the action of the House enrolling Senate bill 5567 be vacated and the bill be reenrolled. This bill was enrolled when the House rose informally a while ago. I also ask for the erasure of the signature of the Speaker.

The SPEAKER. The gentleman asks unanimous consent that the enrollment of Senate bill 5567 be vacated and the signature of the Speaker be erased. The Chair will state to the gentleman that this seems to be a Senate bill. Now, the Chair understands from the gentleman that there is some mistake in the enrollment of the bill. The bill was enrolled by the Senate when it came here to the House.

Mr. LACEY. It was enrolled by the House, and not the Senate.

The SPEAKER. And, being certified to, was signed by the Speaker. Now, it seems that the proper course of the gentleman would be to ask unanimous consent that the signature of the Speaker be erased, and then, if the bill was not enrolled by the House, it seems to the Chair it would lie upon the table and await such action as the Senate might see proper to make touching the recall of the bill.

Mr. LACEY. Very well; I ask action in accordance with the suggestion of the Chair.

The SPEAKER. Is there objection to the erasure of the signature of the Speaker to the Senate bill? [After a pause.] The Chair hears none.

#### IMPEACHMENT OF JUDGE CHARLES SWAYNE.

Mr. PALMER. Mr. Speaker, I wish to make a privileged report. The committee appointed to prepare articles of impeachment against Charles Swayne, district judge of the northern district of Florida, reports that the evidence heretofore taken on the impeachment of Charles Swayne sustains twelve articles of impeachment, which are submitted for the consideration of the House with the recommendation that they be adopted by the House and exhibited to the Senate.

Mr. Speaker, I ask unanimous consent that the articles be printed in the RECORD, so that all the Members of the House may have an opportunity to see them; and I give notice that on Thursday morning after the reading of the Journal I shall call up this matter for discussion, so that the House may have an opportunity to vote on the articles.

The SPEAKER. The gentleman from Pennsylvania, from the special committee touching the impeachment of Judge Swayne, reports articles of impeachment, and asks unanimous consent that the reading thereof be dispensed with, and that the same be printed in the RECORD. Is there objection?

There was no objection.

Mr. PALMER. Mr. Speaker, I ask leave for the minority of the committee (Mr. GILLET of California representing the minority) to file the views of the minority, and that they also be printed in the RECORD.

Mr. WILLIAMS of Mississippi. Is this a report from the committee?

Mr. PALMER. The select committee appointed to prepare articles of impeachment of Judge Swayne.

The SPEAKER. It does not require leave to file the views of the minority. The gentleman from California [Mr. GILLET] presents the views of the minority, which will be printed and referred to the House Calendar.

Mr. PALMER. I ask that they be printed also in the RECORD, so that they may go along with the report.

The SPEAKER. If there be no objection, the minority views will also be printed in the RECORD.

There was no objection.

The report and the views of the minority are as follows:

The select committee appointed to prepare and report articles of impeachment against Charles Swayne, judge of the district court of the United States for the northern district of Florida, appointed December 13, 1904, submit the following report:

That the evidence heretofore taken in the matter of the impeachment of Charles Swayne, judge of the district court of the United States in and for the northern district of Florida, sustains twelve articles of impeachment, which are submitted herewith, with the recommendation that they be adopted by the House and exhibited to the Senate.

*Articles exhibited by the House of Representatives of the United States of America, in the name of themselves and of all the people of the United States of America, against Charles Swayne, a judge of the United States, in and for the northern district of Florida, in maintenance and support of their impeachment against him for high crimes and misdemeanor in office.*

ARTICLE 1. That the said Charles Swayne, at Waco, in the State of Texas, on the 20th day of April, 1897, being then and there a United States district judge in and for the northern district of Florida, did then and there, as said judge, make and present to R. M. Love, then and there being the United States marshal in and for the northern district of Texas, a false claim against the Government of the United States in the sum of \$230, then and there knowing said claim to be false, and for the purpose of obtaining payment of said false claim, did then and there as said judge, make and use a certain false certificate then and there knowing said certificate to be false, said certificate being in the words and figures following:

"UNITED STATES OF AMERICA, Northern District of Texas, ss:

"I, Charles Swayne, district judge of the United States for the northern district of Florida, do hereby certify that I was directed to and held court at the city of Waco, in the northern district of Texas, twenty-three days, commencing on the 20th day of April, 1897; also, that the time engaged in holding said court, and in going to and returning from the same, was twenty-three days, and that my reasonable expenses for travel and attendance amounted to the sum of two hundred and thirty dollars and — cents, which sum is justly due me for such attendance and travel.

"CHAS. SWAYNE, Judge.

"WACO, May 15, 1897.

"Received of R. M. Love, United States marshal for the northern district of Texas, the sum of 230 dollars and no cents in full payment of the above account.

"CHAS. SWAYNE."

when in truth and in fact, as the said Charles Swayne then and there well knew, there was then and there justly due the said Swayne from the Government of the United States and from said United States marshal a far less sum, whereby he has been guilty of a high crime and misdemeanor in his said office.

ART. 2. That the said Charles Swayne, having been duly appointed, confirmed, and commissioned as judge of the United States in and for the northern district of Florida, entered upon the duties of his office, and while in the exercise of his office as judge, as aforesaid, the said Charles Swayne was entitled by law to be paid his reasonable expenses for travel and attendance when lawfully directed to hold court outside



of the northern district of Florida, not to exceed \$10 per diem, to be paid upon his certificate by the United States marshal for the district in which the court was held, and was forbidden by law to receive compensation for such services. Yet the said Charles Swayne, well knowing these provisions, falsely certified that his reasonable expenses for travel and attendance were \$10 per diem while holding court at Tyler, Tex., twenty-four days commencing December 3, 1900, and seven days going to and returning from said Tyler, Tex., and received therefor from the Treasury of the United States, by the hand of John Grant, the United States marshal for the eastern district of Texas, the sum of \$310, when the reasonable expenses incurred and paid by the said Charles Swayne for travel and attendance did not amount to the sum of \$10 per diem.

Wherefore the said Charles Swayne, judge as aforesaid, misbehaved himself and was and is guilty of a high crime, to wit, the crime of obtaining money from the United States by a false pretense, and of a high misdemeanor in office.

ART. 3. That the said Charles Swayne having been duly appointed, confirmed, and commissioned as judge of the United States in and for the northern district of Florida, entered upon the duties of his office, and while in the exercise of his office of judge as aforesaid was entitled by law to be paid his reasonable expenses for travel and attendance when lawfully directed to hold court outside of the northern district of Florida, not to exceed \$10 per diem, to be paid upon his certificate by the United States marshal of the district in which the court was held, and was forbidden by law to receive any compensation for such services. Yet the said Charles Swayne, well knowing these provisions, falsely certified that his reasonable expenses for travel in going to and coming from and attendance were \$10 per diem while holding court at Tyler, Tex., thirty-five days from January 12, 1903, and six days going to and returning from said Tyler, Tex., and received therefor from the Treasury of the United States, by the hand of A. J. Houston, the United States marshal for the eastern district of Texas, the sum of \$410, when the reasonable expenses of the said Charles Swayne incurred and paid by him during said period were much less than said sum.

Wherefore the said Charles Swayne, judge as aforesaid, misbehaved himself and was and is guilty of a high crime, to wit, obtaining money from the United States by a false pretense, and of a high misdemeanor in office.

ART. 4. That the said Charles Swayne having been duly appointed, confirmed, and commissioned as judge of the United States in and for the northern district of Florida, entered upon the duties of his office, and while in the exercise of his office as judge as aforesaid heretofore, to wit, A. D. 1893, did unlawfully appropriate to his own use, without making compensation to the owner, a certain railroad car, belonging to the Jacksonville, Tampa and Key West Railroad Company, for the purpose of transporting himself, his family, and friends from Guyencourt, in the State of Delaware, to Jacksonville, Fla., the said railroad company being at the time in the possession of a receiver appointed by said Charles Swayne, judge as aforesaid, on the petition of creditors.

The said car was supplied with provisions by the said receiver, which were consumed by said Swayne and his friends, and was provided with a conductor or porter at the cost and expense of said railroad company, and with transportation over connecting lines. The expenses of the trip were paid by the said receiver out of the funds of the said Jacksonville, Tampa and Key West Railroad Company, and the said Charles Swayne, acting as judge, allowed the credit claimed by the said receiver for and on account of the said expenditure as a part of the necessary expenses of operating said road. The said Charles Swayne, judge as aforesaid, used the said property without making compensation to the owner, and under a claim of right, for the reason that the same was in the hands of a receiver appointed by him.

Wherefore the said Charles Swayne, judge as aforesaid, was and is guilty of an abuse of judicial power and of a high misdemeanor in office.

ART. 5. That the said Charles Swayne was duly appointed, commissioned, and confirmed as judge of the United States in and for the northern district of Florida, and entered upon the duties of said office, and while in the exercise of his office of judge as aforesaid heretofore, to wit, A. D. 1893, did unlawfully appropriate to his own use, without making compensation to the owner, a certain railroad car belonging to the Jacksonville, Tampa and Key West Railroad Company for the purpose of transporting himself, his family, and friends from Jacksonville, Fla., to California, said railroad company being at the time in the possession of a receiver appointed by the said Charles Swayne, judge as aforesaid, on the petition of creditors.

The car was supplied with some provisions by the said receiver, which were consumed by the said Swayne and his friends, and it was provided with a porter at the cost and expense of the railroad company, and also with transportation over connecting lines. The wages of said porter and the cost of said provisions were paid by the said receiver out of the funds of the Jacksonville, Tampa and Key West Railroad Company, and the said Charles Swayne, acting as judge as aforesaid, allowed the credits claimed by the said receiver for and on account of the said expenditures as a part of the necessary expenses of operating the said railroad. The said Charles Swayne, judge as aforesaid, used the said property without making compensation to the owner under a claim of right, alleging that the same was in the hands of a receiver appointed by him and he, therefore, had a right to use the same.

Wherefore the said Charles Swayne, judge as aforesaid, was and is guilty of an abuse of judicial power and of a high misdemeanor in office.

ART. 6. That the said Charles Swayne, having been duly appointed and confirmed, was commissioned district judge of the United States in and for the northern district of Florida on the 1st day of April, A. D. 1890, to serve during good behavior, and thereafter, to wit, on the 22d day of April, A. D. 1890, took the oath of office and assumed the duties of his appointment, and established his residence at the city of St. Augustine, in the State of Florida, which was at that time within the said northern district. That subsequently, by an act of Congress approved the 23d of July, A. D. 1894, the boundaries of the said northern district of Florida were changed, and the city of St. Augustine and contiguous territory were transferred to the southern district of Florida; whereupon it became and was the duty of the said Charles Swayne to change his residence and reside in the northern district of Florida and to comply with the five hundred and fifty-first section of the Revised Statutes of the United States, which provides that—

"A district judge shall be appointed for each district, except in cases hereinafter provided. Every judge shall reside in the district for which he is appointed, and for offending against this provision shall be deemed guilty of a high misdemeanor."

Nevertheless the said Charles Swayne, judge as aforesaid, did not acquire a residence, and did not, within the intent and meaning of said

act, reside in his said district, to wit, the northern district of Florida, from the 23d day of July, A. D. 1904, to the 1st day of October, A. D. 1900, a period of about six years.

Wherefore the said Charles Swayne, judge as aforesaid, willfully and knowingly violated the aforesaid law and was and is guilty of a high misdemeanor in office.

ART. 7. That the said Charles Swayne, having been duly appointed and confirmed, was commissioned district judge of the United States in and for the northern district of Florida on the 1st day of April, A. D. 1890, to serve during good behavior, and thereafter, to wit, on the 22d day of April, A. D. 1890, took the oath of office and assumed the duties of his appointment, and established his residence at the city of St. Augustine, in the State of Florida, which was at that time within the said northern district. That subsequently, by an act of Congress of the United States approved the 23d day of July, A. D. 1894, the boundaries of the said northern district of Florida were changed, and the city of St. Augustine, with the contiguous territory, was transferred to the southern district of Florida, whereupon it became and was the duty of the said Charles Swayne to change his residence and reside in the northern district of Florida, as defined by said act of Congress, and to comply with section 551 of the Revised Statutes of the United States, which provides that—

"A district judge shall be appointed for each district, except in cases hereinafter provided. Every judge shall reside in the district for which he is appointed, and for offending against this provision shall be deemed guilty of a high misdemeanor."

Nevertheless, the said Charles Swayne, judge as aforesaid, totally disregarding his duty as aforesaid, did not acquire a residence, and within the intent and meaning of said act did not reside in his said district, to wit, the northern district of Florida, from the 23d day of July, A. D. 1894, to the 1st day of January, A. D. 1903, a period of about nine years.

Wherefore, the said Charles Swayne, judge as aforesaid, willfully and knowingly violated the aforesaid law, and was and is guilty of a high misdemeanor in office.

ART. 8. That the said Charles Swayne, having been appointed, confirmed, and duly commissioned as judge of the district court of the United States in and for the northern district of Florida, entered upon the duties of said office, and while in the exercise of his office as judge, as aforesaid, to wit, while performing the duties of a judge of a circuit court of the United States, heretofore, to wit, on the 12th day of November, A. D. 1901, at the city of Pensacola, in the county of Escambia, in the State of Florida, did maliciously and unlawfully adjudge guilty of a contempt of court and impose a fine of \$100 upon and commit to prison for a period of ten days E. T. Davis, an attorney and counselor at law, for an alleged contempt of the circuit court of the United States.

Wherefore the said Charles Swayne, judge as aforesaid, misbehaved himself in his office of judge, and was and is guilty of an abuse of judicial power and of a high misdemeanor in office.

ART. 9. That the said Charles Swayne, having been appointed, confirmed, and duly commissioned as judge of the district court of the United States in and for the northern district of Florida, entered upon the duties of said office, and while in the exercise of his office as judge as aforesaid, to wit, while performing the duties of a judge of a circuit court of the United States heretofore, to wit, on the 12th day of November, A. D. 1901, at the city of Pensacola, in the county of Escambia, in the State of Florida, did knowingly and unlawfully adjudge guilty of a contempt of court and impose a fine of \$100 upon and commit to prison for a period of ten days E. T. Davis, an attorney and counselor at law, for an alleged contempt of the circuit court of the United States.

Wherefore the said Charles Swayne, judge as aforesaid, misbehaved himself in his office of judge and was and is guilty of an abuse of judicial power and of a high misdemeanor in office.

ART. 10. That the said Charles Swayne, having been appointed, confirmed, and duly commissioned as judge of the district court of the United States in and for the northern district of Florida, entered upon the duties of said office, and while in the exercise of his office as judge as aforesaid, to wit, while performing the duties of a judge of a circuit court of the United States heretofore, to wit, on the 12th day of November, A. D. 1901, at the city of Pensacola, in the county of Escambia, in the State of Florida, did maliciously and unlawfully adjudge guilty of a contempt of court and impose a fine of \$100 upon and commit to prison for a period of ten days Simeon Belden, an attorney and counselor at law, for an alleged contempt of the circuit court of the United States.

Wherefore the said Charles Swayne, judge as aforesaid, misbehaved himself in his office of judge and was and is guilty of an abuse of judicial power and of a high misdemeanor in office.

ART. 11. That the said Charles Swayne, having been appointed, confirmed, and duly commissioned as judge of the district court of the United States in and for the northern district of Florida, entered upon the duties of said office, and while in the exercise of his office as judge as aforesaid, to wit, while performing the duties of a circuit judge of the United States heretofore, to wit, on the 12th day of November, A. D. 1901, at the city of Pensacola, in the county of Escambia, in the State of Florida, did knowingly and unlawfully adjudge guilty of a contempt of court and impose a fine of \$100 upon and commit to prison for a period of ten days Simeon Belden, an attorney and counselor at law, for an alleged contempt of the circuit court of the United States.

Wherefore the said Charles Swayne, judge as aforesaid, misbehaved himself in his office as judge and was and is guilty of an abuse of judicial power and of a high misdemeanor in office.

ART. 12. That the said Charles Swayne, having been duly appointed, confirmed, and commissioned as judge of the United States in and for the northern district of Florida, entered upon the duties of his office, and while in the exercise of his office of judge heretofore, to wit, on the 9th day of December, A. D. 1902, at Pensacola, in the county of Escambia, in the State of Florida, did unlawfully and knowingly adjudge guilty of contempt and did commit to prison for the period of sixty days one W. C. O'Neal, for an alleged contempt of the district court of the United States for the northern district of Florida.

Wherefore the said Charles Swayne, judge as aforesaid, misbehaved himself in his office of judge, as aforesaid, and was and is guilty of an abuse of judicial power and of a high misdemeanor in office.

And the House of Representatives by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further articles of accusation or impeachment against the said Charles Swayne, judge of the United States court for the northern district of Florida, and also of replying to his answers which he shall make unto the articles herein preferred against him, and of offering proof to the same and every part thereof, and to all and every other article or accusation



or impeachment which shall be exhibited by them as the case shall require, do demand that the said Charles Swayne may be put to answer the high crimes and misdemeanors in office herein charged against him, and that such proceedings, examinations, trials, and judgments may be thereupon had and given as may be agreeable to law and justice.

#### VIEWS OF MINORITY.

The House must establish the truth of these articles, by competent testimony, beyond reasonable doubt.

The only articles which, in our judgment, the record as it now stands would sustain are based upon the certificates of expenses. As to these it was claimed in the hearings that other judges have construed the law as it was construed by Judge Swayne, and evidence was offered to establish that claim and excluded.

We dissent from all the other articles, and especially as to those based upon the contempt proceedings in the Davis, Belden, and O'Neal cases. These cases clearly involved willful and marked contempt of court, and demanded exemplary and summary punishment from any self-respecting court.

The charge as to nonresidence is not supported by such evidence as warrants the adoption of articles in that regard.

The use of the private car, which is the proper subject of adverse criticism, taking into account the fact that there is no intimation or claim that any judicial act was influenced, or attempted to be influenced thereby, is not of such gravity as to justify impeachment proceedings therefor.

The car incident occurred more than ten years ago, and no residence question has existed for more than four years. No statute of limitations can apply, but the great proceeding of impeachment is not to be used as to stale charges not affecting the moral character or the present fitness of the officer to perform his duty.

C. E. LITTLEFIELD.  
RICHARD WAYNE PARKER.

I concur in all that is said in the foregoing "Views of the minority" except as to the certificates for expenses. At the hearing before the committee Judge Swayne offered to prove the custom and practice of the Federal judges in making certificates for their reasonable expenses for travel and attendance when holding court out of their district, the purpose being to show a judicial construction of the statute under which these expenses were allowed. This offer was denied by the committee and all inquiry upon this subject shut off.

Therefore, for this reason, the record is silent upon matters which, in my judgment, should have been submitted to the consideration of this House. The record is silent as to the custom and practice of other judges in this particular, as to the construction which they placed upon the statute, and as to the construction which the disbursing and auditing officers of the Government gave it.

The intent with which Judge Swayne made these certificates is of controlling importance, and all of the facts and circumstances surrounding the matter, the practice and customs of other judges, and the construction placed upon the statute by them and by the Government, if any, are and were proper subjects of inquiry. While the record is silent on these questions, for the reason above stated, still it appears from official records, some of which have been furnished to me by the Treasury Department, that a majority of the district and circuit judges in five circuits, selected at random, make out certificates for \$10 a day, and in two of these districts every judge made out such certificates.

I am inclined to believe that where a practice has been so general these judges acted in good faith with an honest belief that a fair construction of the statute gave them \$10 a day for an allowance for travel and attendance while attending court out of their district, and I also feel that this House would with great reluctance pass a resolution impeaching them all; and if not all, why one?

On this article my mind is not satisfied beyond a reasonable doubt that Judge Swayne, in following a practice so well established by so many honorable men, committed a criminal offense for which he should either be prosecuted or impeached, and giving him the benefit of this doubt I can not consent to any impeachment on that ground.

J. N. GILLET.

#### UNITED STATES COURT, GREENVILLE, MISS.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 16987) to provide for holding terms of the United States courts at Greenville, Miss.

The SPEAKER. The gentleman from Mississippi asks unanimous consent for the present consideration of a bill, the title of which will be reported by the Clerk.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The bill was read, as follows:

*Be it enacted, etc.,* That the counties of Coahoma, Bolivar, Washington, Sunflower, and Leflore shall constitute a part of the northern judicial district of the State of Mississippi and shall be known as the Delta division of said district. Circuit and district courts for the transaction of business pertaining to persons or property in said Delta division shall be held at the city of Greenville, in Washington County, on the first Monday in May and November in each year, and shall continue for eighteen days or so long as business may require.

SEC. 2. That said courts to be held at Greenville, as provided in section 1 of this act, shall be possessed of and shall exercise all the powers and jurisdiction now possessed or exercised, or which may hereafter be granted to or exercised by the circuit and district courts in said district now held at Oxford, Miss., and all laws regulating and defining how suits against persons or property located or found in judicial districts shall be brought, shall be applicable to and govern the bringing of suits in said Delta division, and all laws touching the removal of causes from the State courts to the United States courts shall apply to said court hereby established; but all crimes and offenses heretofore committed within the counties composing said Delta division shall be prosecuted, tried, and determined in the same manner and with the same effect as if this act had not been passed.

SEC. 3. That it shall be the duty of the clerks of the courts now held at Jackson, Oxford, and Vicksburg, on demand of either party, to any suit now pending in either of said courts, and properly belonging to the courts to be held at Greenville, to make out and certify a copy of the

record and proceedings in said suit and transmit the same to the deputy clerk of the proper court at Greenville; and he shall enter said cause on his docket, and the same shall be proceeded with as if it had been originally brought in said court. The fee for such transcript shall be paid for by the party applying for same.

SEC. 4. That the marshal and clerk of said northern district of Mississippi shall appoint deputies who shall reside at Greenville and act as marshal and clerk in place of their principals.

The following committee amendment was read and agreed to:

In line 3, after the word "Bolivar," insert "Quitman."

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. HUMPHREYS of Mississippi, a motion to reconsider the last vote was laid on the table.

#### BRIDGE ACROSS THE MISSISSIPPI RIVER, MINNEAPOLIS, MINN.

Mr. LIND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5889) to authorize the city of Minneapolis, in the State of Minnesota, to construct a bridge across the Mississippi River.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of a Senate bill, the title of which will be reported by the Clerk.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The bill was read. It provides that the city of Minneapolis, in the State of Minnesota, is hereby authorized and empowered to construct, operate, and maintain a street-car, wagon, and foot bridge, with necessary approaches, across the Mississippi River from the west end of Twenty-fifth avenue northeast to the east end of Thirty-second avenue north, within the corporate limits of said city, provided such location is suitable to the interests of navigation. Said bridge shall be constructed for the passage of street cars, wagons, and vehicles of all kinds, and for foot passengers.

The bill was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. LIND, a motion to reconsider the last vote was laid on the table.

#### COMMITTEE ON PRIVATE LAND CLAIMS.

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of the following resolution, which the Clerk will report.

The Clerk read as follows:

*Resolved,* That the Committee on Private Land Claims be, and hereby is, authorized to have printed such papers and documents as may be necessary for the business of said committee.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

ANDREW R. M'CURDY.

By unanimous consent, on motion of Mr. ROBINSON of Indiana, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of Andrew R. McCurdy, Fifty-eighth Congress, no adverse report having been made thereon.

#### IMMIGRANT SERVICE AT SAN FRANCISCO, CAL.

By unanimous consent, on motion of Mr. HITT, the Committee on Foreign Affairs was discharged from further consideration of House Document No. 166, a letter from the Secretary of Commerce and Labor, transmitting a report of an investigation of the conditions of the immigrant service at San Francisco, Cal., and the same was referred to the Committee on Appropriations.

#### LANDS IN FORT SHERMAN MILITARY RESERVATION.

The SPEAKER laid before the House the following message from the President of the United States; which, with the accompanying papers, was referred to the Committee on Irrigation of Arid Lands, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of the Interior relative to the reservation of certain lands in the abandoned Fort Sherman Military Reservation, in view of the contemplated use of such lands in connection with irrigation works to be constructed under the act of June 17, 1902. (32 Stat., 388.)

The matter is presented for the consideration of the Congress.

THEODORE ROOSEVELT.

WHITE HOUSE, January 10, 1905.

#### BOUNDARY LINE BETWEEN THE STATE OF COLORADO AND TERRITORIES OF NEW MEXICO AND OKLAHOMA.

The SPEAKER also laid before the House the following message from the President of the United States; which, with the

accompanying papers, was ordered printed and referred to the Committee on Public Lands:

*To the Senate and House of Representatives:*

I transmit herewith, for the consideration of the Congress, a communication from the Secretary of the Interior relative to the reestablishment of the boundary line between the State of Colorado and the Territories of New Mexico and Oklahoma, surveyed under authority of the act of Congress of July 1, 1902. (32 Stat., 552, 574.)

THEODORE ROOSEVELT.

WHITE HOUSE, January 10, 1905.

#### REPORT OF COMMISSIONER OF CORPORATIONS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution No. 91.

The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed, for the use of the Department of Commerce and Labor, 10,000 copies of the report of the Commissioner of Corporations covering the period from the organization of the Bureau to June 30, 1904, including therein the statement of the case and the opinion of the court in Paul against Virginia, 8 Wallace, page 168, and the statement of the case, the opinion of the court, and the dissenting opinion in United States against E. C. Knight Company, 158 United States, page 1.

With the following committee amendment:

Strike out after the word "four" in line 6, the words "including therein the statement of the case and the opinion of the court in Paul against Virginia, 8 Wallace, page 168, and the statement of the case, the opinion of the court, and the dissenting opinion in United States against E. C. Knight Company, 158 United States, page 1."

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The amendment was agreed to.

The concurrent resolution was agreed to.

#### REPORT OF COMMISSIONER OF CORPORATIONS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I present the following privileged resolution from the Committee on Printing.

The Clerk read as follows:

*Resolved,* That there be printed for the use of the House of Representatives, to be distributed through the document room of the House, 3,000 copies of House Document No. 165, Fifty-eighth Congress, third session, being a report of the Commissioner of Corporations covering the period of the organization of the Bureau to June 30, 1904.

Mr. GAINES of Tennessee. Mr. Speaker, I want to ask the gentleman a question. I have a great many inquiries about the Jefferson Bible. I understand its publication has been stopped. I would like to ask the gentleman what has become of the plates?

Mr. CHARLES B. LANDIS. The plates of that publication never belonged to the Government. The Jefferson Bible was published by a firm in Chicago. Congress contracted for, I think, 10,000 copies, and the plates are the property of the firm that did the work.

Mr. GAINES of Tennessee. I thought that the plates belonged to the Government, and I was afraid that they might be destroyed.

Mr. MADDOX. Mr. Speaker, I would like to ask the gentleman from Indiana a question. Can parties purchase the Jefferson Bible from the Chicago firm that printed it for the Government?

Mr. CHARLES B. LANDIS. I do not know, but I presume so. I should say that, taking into consideration the advertising the publication has had, that the gentlemen in Chicago will publish the book in unlimited quantities.

Mr. PALMER. What became of the 10,000 copies?

Mr. CHARLES B. LANDIS. They were placed to the credit of the members of the Senate and House.

Mr. PALMER. I only got fourteen copies.

Mr. GAINES of Tennessee. How much did the 10,000 copies cost the Government?

Mr. CHARLES B. LANDIS. I do not know; the order did not come from the Committee on Printing.

Mr. GAINES of Tennessee. Who does know?

Mr. CHARLES B. LANDIS. I do not know; it came by the recommendation of some other committee.

Mr. LACEY. The book cost between \$2.25 to \$2.50 per volume. Some of the copies were set apart to be sold by the superintendent of the document room; that was over and above the allowance for the Senate and House. I made a discovery the other day when I tried to buy one for a friend. I found that a certain candidate for the United States Senate had bought all there were. [Laughter.]

Mr. GAINES of Tennessee. At what price?

Mr. LACEY. At the actual cost price, between \$2.25 and \$2.50.

Mr. CHARLES B. LANDIS. I understand that gentlemen can procure a copy in the city at \$5 a volume.

The SPEAKER. The question is on agreeing to the concurrent resolution.

The question was taken, and the resolution was agreed to.

Mr. CHARLES B. LANDIS. Mr. Speaker, I desire to correct the statement I made a moment ago. I have been informed that the order for the publication of the Jefferson Bible did come from the Committee on Printing of the House, but it was before the committee was organized as it is at present constituted. The order was made by a former Congress.

#### ADJOURNMENT.

Mr. DALZELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of proposals received during the fiscal year ended June 30, 1904, for materials and labor in connection with work under the Engineers' Department—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the secretary of the American National Red Cross, transmitting the annual report for the year ended December 31, 1904—to the Committee on Foreign Affairs, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the House resolution (H. Res. 384) authorizing the Committee on Interstate and Foreign Commerce to investigate the operation, etc., of the Panama Railway Company, reported the same without amendment, accompanied by a report (No. 3474); which said bill and report were referred to the House Calendar.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 16983) permitting the building of a railroad bridge across the Mississippi River at the city of Minneapolis, State of Minnesota, from a point on lot 2 to a point on lot 7, all in section 3, township 29 north, range 24 west, of the fourth principal meridian, reported the same without amendment, accompanied by a report (No. 3475); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17100) to authorize the construction of a bridge across Sunflower River, in Sharkey County, Miss., reported the same without amendment, accompanied by a report (No. 3476); which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16945) granting an increase of pension to Alvin B. Franklin, reported the same with amendment, accompanied by a report (No. 3423); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16594) granting an increase of pension to Jacob A. Kryer, reported the same with amendment, accompanied by a report (No. 3424); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16713) granting a pension to William Cannon, reported the same with amendment, accompanied by a report (No. 3425); which said bill and report were referred to the Private Calendar.



Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16809) granting an increase of pension to Patrick Colter, reported the same with amendment, accompanied by a report (No. 3426); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16162) granting an increase of pension to Charles Muller, reported the same with amendment, accompanied by a report (No. 3427); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16260) granting an increase of pension to Frederick Hark, reported the same without amendment, accompanied by a report (No. 3428); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16165) granting an increase of pension to Francis L. Howard, reported the same without amendment, accompanied by a report (No. 3429); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16409) granting a pension to Mary A. Kendall, reported the same without amendment, accompanied by a report (No. 3430); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16471) granting a pension to Martha C. Watkins, reported the same with amendment, accompanied by a report (No. 3431); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16807) granting an increase of pension to E. C. Jordan, reported the same with amendment, accompanied by a report (No. 3432); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16396) granting a pension to E. A. Sherburne, reported the same with amendment, accompanied by a report (No. 3433); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10387) granting an increase of pension to Aaron C. Perry, reported the same without amendment, accompanied by a report (No. 3434); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10096) granting a pension to Louise E. Lavey, reported the same with amendment, accompanied by a report (No. 3435); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9860) granting an increase of pension to Augustus Colvin, reported the same with amendment, accompanied by a report (No. 3436); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12171) granting an increase of pension to John Davis, reported the same without amendment, accompanied by a report (No. 3437); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12007) granting an increase of pension to Henry R. K. Lockman, reported the same with amendment, accompanied by a report (No. 3438); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11613) granting an increase of pension to Alexander H. Sockman, reported the same with amendment, accompanied by a report (No. 3439); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16157) granting an increase of pension to Charles W. Martin, reported the same with amendment, accompanied by a report (No. 3440); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16443) granting an increase of pension to Johanna J. Naughton, reported the same without amendment, accompanied by a report (No. 3441); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5153) granting

an increase of pension to Jonathan Stewart, reported the same with amendment, accompanied by a report (No. 3442); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14495) granting an increase of pension to Jackson Adams, reported the same without amendment, accompanied by a report (No. 3443); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13620) granting an increase of pension to Silas W. Squires, reported the same with amendment, accompanied by a report (No. 3444); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14489) granting an increase of pension to John M. Porter, reported the same with amendment, accompanied by a report (No. 3445); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15411) granting an increase of pension to Isalah Garretson, reported the same without amendment, accompanied by a report (No. 3446); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15520) granting an increase of pension to William P. Dunnington, reported the same with amendment, accompanied by a report (No. 3447); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12488) granting an increase of pension to George H. Coddington, reported the same with amendment, accompanied by a report (No. 3448); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13640) granting an increase of pension to Eugene Hepp, reported the same with amendment, accompanied by a report (No. 3449); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15323) granting an increase of pension to William H. H. Simpkins, reported the same with amendment, accompanied by a report (No. 3450); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 606) granting an increase of pension to Vincent M. Cartwright, reported the same without amendment, accompanied by a report (No. 3451); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1445) granting an increase of pension to John Ellis, reported the same with amendment, accompanied by a report (No. 3452); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2191) granting an increase of pension to William C. Pollard, reported the same with amendment, accompanied by a report (No. 3453); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3427) granting an increase of pension to Albert Fetterhoff, reported the same with amendment, accompanied by a report (No. 3454); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17093) granting an increase of pension to Felix Monaghan, reported the same without amendment, accompanied by a report (No. 3455); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5995) granting an increase of pension to Joseph Fulton, reported the same with amendment, accompanied by a report (No. 3456); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16666) granting an increase of pension to Alfreda B. Coburn, reported the same with amendment, accompanied by a report (No. 3457); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8423) granting a pension to Joseph Hepworth, reported the same with amendment, accompanied by a report (No. 3458); which said bill and report were referred to the Private Calendar.



Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7760) granting a pension to Sarah R. Pierce, reported the same with amendment, accompanied by a report (No. 3459); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8834) granting an increase of pension to Joseph H. Richardson, reported the same with amendment, accompanied by a report (No. 3460); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5383) granting an increase of pension to Samuel Shafer, reported the same with amendment, accompanied by a report (No. 3461); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16619) granting an increase of pension to George Meisner, reported the same with amendment, accompanied by a report (No. 3462); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15962) granting an increase of pension to Charles T. Beals, reported the same with amendment, accompanied by a report (No. 3463); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16620) granting an increase of pension to Alonzo Ackerman, reported the same with amendment, accompanied by a report (No. 3464); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16444) granting an increase of pension to Henry C. Snyder, reported the same with amendment, accompanied by a report (No. 3465); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16140) granting an increase of pension to Nelson A. Fitts, reported the same with amendment, accompanied by a report (No. 3466); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4552) granting an increase of pension to Orin P. Stoffer, reported the same with amendment, accompanied by a report (No. 3467); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17241) granting an increase of pension to David A. Miller, reported the same without amendment, accompanied by a report (No. 3468); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16730) granting an increase of pension to Daniel Smith, reported the same with amendment, accompanied by a report (No. 3469); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13330) granting an increase of pension to Michael Kelly, alias Patrick Kelly, reported the same with amendment, accompanied by a report (No. 3470); which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 17014) granting a pension to William W. Kingsland—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 17392) granting an increase of pension to Arthur Haire—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 17464) granting an increase of pension to Nancy J. Nelson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HULL, from the Committee on Military Affairs: A bill (H. R. 17473) making appropriation for the support of the

Army for the fiscal year ending June 30, 1906—to the Union Calendar.

By Mr. SHERMAN, from the Committee on Indian Affairs: A bill (H. R. 17474) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1906, and for other purposes—to the Union Calendar.

By Mr. BASSETT: A bill (H. R. 17475) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898—to the Committee on the Judiciary.

By Mr. LACEY: A bill (H. R. 17476) to exclude from the Yosemite National Park, California, certain lands therein described, and to attach and include the said lands in the Sierra Forest Reserve—to the Committee on the Public Lands.

By Mr. SMITH of Texas: A bill (H. R. 17477) to facilitate the shipments and furnishing of cars by railway companies for the shipment of carloads of live stock from points in one State or Territory of the United States into or through any other State or Territory of the United States, and to provide for such through shipments at reasonable rates of freight—to the Committee on Interstate and Foreign Commerce.

By Mr. McGUIRE: A bill (H. R. 17478) to provide for an equal division of the lands and moneys of the Osage tribe of Indians, and for other purposes—to the Committee on Indian Affairs.

By Mr. MACON: A bill (H. R. 17479) to provide for the survey, location, and platting of the lands along and in the St. Francis River, in the States of Arkansas and Missouri—to the Committee on the Public Lands.

By Mr. PEARRE: A bill (H. R. 17480) regulating the compensation of the collector of customs for the district of Georgetown, in the District of Columbia—to the Committee on Ways and Means.

By Mr. RANDELL of Louisiana: A bill (H. R. 17481) authorizing the Alexandria Bayou, Magon and Greenville Railway Company to construct bridges over Red River, Little River, Ouachita River, and Bayou Louis, in Louisiana—to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 17482) to provide for the improvements of the Yazoo River and its tributaries—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 17483) to provide for the construction of a snag boat for the Yazoo River, Mississippi, and its tributaries—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 17484) to provide for the improvement of the Coldwater River, Mississippi—to the Committee on Rivers and Harbors.

By Mr. BROOKS: A bill (H. R. 17485) to amend an act entitled "An act providing for the compulsory attendance of witnesses before registers and receivers of the land office"—to the Committee on the Public Lands.

By Mr. LUCKING: A bill (H. R. 17486) for an additional appropriation to complete the temporary addition to the Detroit post-office—to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A bill (H. R. 17487) to authorize the appointment of a United States commissioner for the southern judicial district of Indian Territory—to the Committee on the Judiciary.

By Mr. MARTIN: A bill (H. R. 17488) to extend the time for the commencement and completion of a bridge across the Missouri River at or near Oacoma, S. Dak.—to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL of Utah: A bill (H. R. 17489) to provide the manner of opening for settlement and entry and for disposing of certain lands on the Uintah Reservation, in Utah—to the Committee on Indian Affairs.

By Mr. BURLESON: A joint resolution (H. J. Res. 193) providing for the publication of 3,000 copies of Bulletin No. 27 of the Bureau of Animal Industry, entitled "Information Concerning the Angora Goat"—to the Committee on Printing.

By Mr. CANDLER: A joint resolution (H. J. Res. 194) providing for the printing of 20,000 additional copies of the Jefferson Bible ("Morals of Jesus of Nazareth")—to the Committee on Printing.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BATES: A bill (H. R. 17490) granting an increase of pension to Atticus Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17491) to correct the military record of Sharpe McCurdy—to the Committee on Military Affairs.



Also, a bill (H. R. 17492) granting a pension to Rebecca Prussia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17493) granting an increase of pension to David W. Davison—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 17494) granting an increase of pension to Helen E. South—to the Committee on Invalid Pensions.

By Mr. BREAZEALE: A bill (H. R. 17495) for the relief of the estate of Jacob Israel, deceased—to the Committee on War Claims.

Also, a bill (H. R. 17496) for the relief of the estate of S. S. Simmonds, deceased—to the Committee on War Claims.

Also, a bill (H. R. 17497) for the relief of the estate of Phillip Poete, deceased—to the Committee on War Claims.

By Mr. BROWNLOW: A bill (H. R. 17498) for the relief of La Fayette & Bro.—to the Committee on the Post-Office and Post-Roads.

By Mr. BRUNDIDGE: A bill (H. R. 17499) granting an increase of pension to Henry T. Vose—to the Committee on Pensions.

By Mr. BUCKMAN: A bill (H. R. 17500) for the relief of Pamela J. Getty—to the Committee on Claims.

Also, a bill (H. R. 17501) for the relief of Martha E. West—to the Committee on Claims.

Also, a bill (H. R. 17502) for the relief of A. M. Darling and Frank C. Darling—to the Committee on Claims.

By Mr. CAPRON (by request): A bill (H. R. 17503) for the relief of Herbert O. Dunn—to the Committee on Claims.

By Mr. DAVEY of Louisiana: A bill (H. R. 17504) for the relief of the estate of Patrick McCormack, deceased—to the Committee on War Claims.

By Mr. DAVIS of Minnesota: A bill (H. R. 17505) granting an increase of pension to Francis M. Stamm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17506) granting a pension to Van R. Gifford—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 17507) granting an increase of pension to Samuel S. Price—to the Committee on Invalid Pensions.

By Mr. DICKERMAN: A bill (H. R. 17508) granting a pension to Jeremiah Derr—to the Committee on Invalid Pensions.

By Mr. DINSMORE: A bill (H. R. 17509) for the relief of Eugene King—to the Committee on War Claims.

By Mr. DIXON: A bill (H. R. 17510) granting an increase of pension to Abraham E. Pierson—to the Committee on Pensions.

Also, a bill (H. R. 17511) to remove the charge of desertion against the military record of Minor Berry—to the Committee on Military Affairs.

By Mr. GILBERT: A bill (H. R. 17512) for the relief of the Madison Female Institute, of Richmond, Ky.—to the Committee on War Claims.

By Mr. GUDGER: A bill (H. R. 17513) granting a pension to George W. Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17514) granting an increase of pension to John Hey Williams—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 17515) granting a pension to Ida Eubank—to the Committee on Invalid Pensions.

By Mr. HENRY of Texas: A bill (H. R. 17516) granting an increase of pension to Gillum M. Ezell—to the Committee on Pensions.

Also, a bill (H. R. 17517) granting an increase of pension to Frank Brazier—to the Committee on Pensions.

Also, a bill (H. R. 17518) granting an increase of pension to John Cook—to the Committee on Pensions.

Also, a bill (H. R. 17519) granting an increase of pension to Christian Dorbandt—to the Committee on Pensions.

By Mr. HOGG: A bill (H. R. 17520) granting a pension to McKean Ormsby—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 17521) for the relief of F. X. Smith, Son & Co.—to the Committee on Claims.

By Mr. LAMAR of Missouri: A bill (H. R. 17522) granting a pension to James M. McGoodwin—to the Committee on Invalid Pensions.

By Mr. LILLEY: A bill (H. R. 17523) granting an increase of pension to Mary A. Paul—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 17524) for the relief of the legal representatives of the estate of Robert B. Pearce, deceased, late of Sevier County, Ark.—to the Committee on Claims.

By Mr. LLOYD: A bill (H. R. 17525) to remove the charge of desertion from the military record of John H. Lash—to the Committee on Military Affairs.

By Mr. MACON: A bill (H. R. 17526) granting an increase of pension to Daniel Hayes—to the Committee on Pensions.

By Mr. MINOR: A bill (H. R. 17527) granting an increase of

pension to James Sprague—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 17528) granting an increase of pension to John P. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17529) granting a pension to Margaret Munyon—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 17530) for the relief of the estate of Lewis Patterson, deceased—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 17531) granting a pension to George W. Ennery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17532) granting an increase of pension to William A. Failer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17533) granting an increase of pension to Jared Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17534) granting an increase of pension to John Person—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17535) granting a pension to John D. Deihl—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 17536) granting an increase of pension to George W. Burton—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 17537) granting an increase of pension to Theodore Titus—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 17538) granting a pension to William W. Isaacs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17539) authorizing the President of the United States to nominate Joseph C. Byron, late a captain and assistant quartermaster, to be a captain and assistant quartermaster on the retired list—to the Committee on Military Affairs.

By Mr. RANDELL of Louisiana: A bill (H. R. 17540) for the relief of the estate of John R. Temple, deceased, late of Ouachita Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 17541) for the relief of the heirs of Julia M. Clark, deceased, late of Catahoula Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 17542) for the relief of the estate of Mary A. Meredith, deceased, late of Caldwell Parish, La.—to the Committee on War Claims.

By Mr. REID: A bill (H. R. 17543) granting an increase of pension to Lafayette Brashear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17544) granting an increase of pension to Stephen M. Fisk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17545) to remove the charge of desertion against Owen J. Owen—to the Committee on Military Affairs.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 17546) for the relief of the legal representatives of the estate of Benjamin Lillard, deceased—to the Committee on War Claims.

By Mr. RODEY: A bill (H. R. 17547) granting an increase of pension to George H. Hutchison—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 17548) for the relief of William H. Stiner & Sons—to the Committee on Claims.

By Mr. SMITH of Pennsylvania: A bill (H. R. 17549) granting an increase of pension to Archibald George—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 17550) granting an increase of pension to Martin Gillett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17551) granting a pension to Frank E. Saxon—to the Committee on Pensions.

By Mr. SULLIVAN of Massachusetts: A bill (H. R. 17552) for the relief of Robert J. Faulkner—to the Committee on Military Affairs.

Also, a bill (H. R. 17553) for the relief of John Quigley—to the Committee on Military Affairs.

Also, a bill (H. R. 17554) for the relief of William R. Boag—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 17555) granting an increase of pension to Mary E. Adams—to the Committee on Invalid Pensions.

By Mr. VAN VOORHIS: A bill (H. R. 17556) granting an increase of pension to Zenes Shipman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17557) granting an increase of pension to William A. Crum—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 17558) granting an increase of pension to Sarah Ann Morrison—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 17559) granting an increase of pension to Joseph Wilkes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17560) granting an increase of pension to Alexander Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17561) granting an increase of pension to Susan Burroughs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17562) granting an increase of pension to William J. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17563) to remove the charge of desertion against Jacob Goll, late a private in Company C, Twenty-fourth Regiment Wisconsin Volunteer Infantry—to the Committee on Military Affairs.

By Mr. WILEY of New Jersey: A bill (H. R. 17564) granting a pension to Martha L. H. Spurgin—to the Committee on Pensions.

Also, a bill (H. R. 17565) granting an increase of pension to Marie Louise Michle—to the Committee on Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 17566) to remove the charge of desertion from the record of Emory Monty—to the Committee on Military Affairs.

Also, a bill (H. R. 17567) to remove the charge of desertion from the record of John E. Clarke—to the Committee on Military Affairs.

Also, a bill (H. R. 17568) to remove the charge of desertion from the record of Wiley B. Chamness—to the Committee on Military Affairs.

Also, a bill (H. R. 17569) granting an increase of pension to David H. Utley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17570) granting an increase of pension to John Hensly—to the Committee on Invalid Pensions.

By Mr. WILSON of New York: A bill (H. R. 17571) granting a pension to Charles W. Pinckney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17572) granting a pension to Frederick Hildenbrand—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 17573) to remove the charge of desertion from the military record of Joseph F. Bryan—to the Committee on Military Affairs.

By Mr. GAINES of Tennessee: A bill (H. R. 17574) granting an increase of pension to James T. Gabbert—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BATES: Petition of Floyd Jenkins, against repealing or amending the present oleomargarine laws—to the Committee on Agriculture.

Also, petition of Athens Grange, No. 304, of Pennsylvania, against repeal of the oleomargarine laws—to the Committee on Agriculture.

Also, petition of Verner F. Smith, against repeal of the oleomargarine laws—to the Committee on Agriculture.

Also, petition of Allen Heald, of Conneautville, Crawford County, Pa., against repeal of the oleomargarine laws—to the Committee on Agriculture.

Also, petition of Rundell Grange, of Conneautville, Pa., against repeal of the oleomargarine laws—to the Committee on Agriculture.

Also, petition of W. J. Cooley, of Hartstown, Pa., against repeal of the oleomargarine laws—to the Committee on Agriculture.

Also, petition of Hartman et al., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Brotherhood of Locomotive Engineers of Albion, Pa., favoring bills H. R. 704 and S. 4092—to the Committee on Interstate and Foreign Commerce.

By Mr. BENTON: Papers in support of bill for the relief of Alexander Clapp—to the Committee on War Claims.

By Mr. CAMPBELL: Petition of Bert Strattman et al., against legislation embodied in bill H. R. 4859—to the Committee on the District of Columbia.

Also, petition of residents of Independence, Kans., against bill H. R. 4859—to the Committee on the District of Columbia.

Also, petition of citizens of Wichita, Kans., opposing bill H. R. 4859—to the Committee on the District of Columbia.

By Mr. CASSINGHAM: Papers to accompany bill for the relief of Jeremiah Lower Michigan—to the Committee on War Claims.

Also, papers to accompany bill for the relief of Herbert O. Kohn—to the Committee on Pensions.

By Mr. DAYTON: Papers to accompany bill for relief of Samuel S. Price—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of Russell C. Paris, past national commander of the Army and Navy Union, favoring bill H. R. 3586—to the Committee on Naval Affairs.

By Mr. DRESSER: Papers to accompany bill for the relief of Philip H. Haupt—to the Committee on Pensions.

By Mr. ESCH: Petition of Colorado beet-sugar manufacturers, against legislation reducing tariff on raw or refined sugar—to the Committee on Ways and Means.

Also, petition of Carriage Builders' National Association, favoring law to empower Interstate Commerce Commission to determine freight rates—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Petition of Republican Union Club of New York, for legislation favoring a reduction of representation of the Southern States—to the Committee on Election of President and Vice-President and Representatives in Congress.

Also, petition of Merchants' Association of New York, favoring a reduction of duties on imports from Philippine Islands—to the Committee on Ways and Means.

By Mr. FRENCH: Petition of James Stuart et al., favoring a law against the sale of intoxicating liquor in Indian Territory—to the Committee on Alcoholic Liquor Traffic.

By Mr. FULLER: Petition of E. W. Chandler, of Rockford, Ill., favoring the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Elijah Harris, of Chicago, Ill., favoring the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Haddoff Piano Company, of Rockford, Ill., in favor of granting additional powers to the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Royal Mantel and Furniture Company, of Rockford, Ill., in favor of the Quarles-Cooper bill and against pooling of railways—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Colorado beet-sugar manufacturers, opposing reduction of tariff on either raw or refined sugar—to the Committee on Ways and Means.

Also, petition of Washington school-teachers, praying for increase of salaries—to the Committee on Appropriations.

Also, petition of the Union League Club, of New York, concerning revision of tariff—to the Committee on Ways and Means.

Also, petition of George A. Post, chairman of the American Railway Appliance Exhibition, in favor of House joint resolution 160—to the Committee on the District of Columbia.

By Mr. HEARST: Petition of citizens of Manhattan, Kans., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Joliet, Ill., urging passage of bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Texas: Papers to accompany bill for relief of Frank Brazeale, by increase of pension—to the Committee on Pensions.

Also, papers to accompany bill for relief of John Cook, by increase of pension—to the Committee on Pensions.

Also, paper to accompany bill for relief of Christian Dorbandt, by increase of pension—to the Committee on Pensions.

Also, paper to accompany bill for relief of Gillum M. Ezell, Russell, Tex., by increase of pension—to the Committee on Pensions.

Also, paper to accompany bill for relief of Louis A. Kumm—to the Committee on War Claims.

By Mr. HILDEBRANT: Papers to accompany bill granting an increase of pension to Elizabeth Jackson—to the Committee on Pensions.

By Mr. HITT: Petition of the Sparks Milling Company, of Alton, Ill., opposing enactment of the uniform bill-of-lading law—to the Committee on Interstate and Foreign Commerce.

By Mr. JACKSON of Ohio: Papers to accompany bill correcting military record of Samuel Zellner—to the Committee on Military Affairs.

By Mr. KEHOE: Petition of C. T. Morris et al., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

By Mr. KITCHIN: Petition of Haywood King et al., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

By Mr. LAFEAN: Petition of Carriage Builders' National Association, favoring bill to increase powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of members of the Patriotic Order of Sons of America, of Hanover, Pa., urging enactment of more stringent laws covering the subject of immigration—to the Committee on Immigration and Naturalization.



By Mr. LAMAR: Papers to accompany bill for the relief of Brian B. Tulley—to the Committee on Pensions.

By Mr. LAWRENCE: Petition of citizens of Greenfield, Mass., favoring a law taking the power from the State courts and placing it in Federal courts relative to polygamy—to the Committee on the Judiciary.

By Mr. LILLEY: Petition of Woman's Christian Temperance Union of Mystic, Conn., against the Proctor bill for the repeal of the anticanteen law—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the city council of Fort Smith, Ark., favoring annexation of the Cherokee and Choctaw nations to the State of Arkansas—to the Committee on Indian Affairs.

Also, papers to accompany bill for relief of Mary A. Paul—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Petition of the Merchants' Association of New York, favoring legislation regulating towing in New York Harbor—to the Committee on Commerce.

Also, petition of the Merchants' Association of New York, favoring a law reducing tariff on Philippine products to this country—to the Committee on Ways and Means.

By Mr. McCALL: Papers to accompany bill H. R. 16690, for relief of Mrs. Louisa J. Arey—to the Committee on Naval Affairs.

By Mr. MACON: Papers to accompany bill for relief of Daniel Hays by increase of pension—to the Committee on Pensions.

By Mr. MAHON: Petition of George W. Hirson et al., of the Patriotic Order of Sons of America, for legislation restricting immigration—to the Committee on Immigration and Naturalization.

Also, petition of Wilson Rhoads et al., for legislation restricting immigration—to the Committee on Immigration and Naturalization.

By Mr. MOON: Petition of the Stone Cutters' Association of North America, against law appropriating money for substitution of granite for sandstone in the superstructure in Government buildings in Cleveland, Ohio—to the Committee on Public Buildings and Grounds.

Also, papers to accompany bill relative to the claim of estate of Lewis Patterson—to the Committee on War Claims.

By Mr. NEVIN: Petition of Rev. H. Johnson et al., asking legislation to protect the proposed States of Oklahoma and Arizona against intoxicants—to the Committee on Alcoholic Liquor Traffic.

By Mr. OLMSTED: Petition of members of the faculty of Dickinson College, Carlisle, Pa., calling attention to resolutions of the Mohonk Conference in regard to the exclusion of intoxicating liquors from Indian territories—to the Committee on Alcoholic Liquor Traffic.

By Mr. PATTERSON of Pennsylvania: Paper to accompany bill for relief of Theodore Titus—to the Committee on Invalid Pensions.

Also, petition of Washington Camp, No. 262, Patriotic Order of Sons of America, of Hegins, Pa., praying for restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Washington Camp, No. 76, Patriotic Order of Sons of America, of Tremont, Pa., asking greater restriction in immigration—to the Committee on Immigration and Naturalization.

Also, petition of Washington Camp, No. 247, Patriotic Order of Sons of America, of Landingville, Pa., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RANDELL of Louisiana: Papers to accompany bill for relief of heirs of Julia M. Clark, of Catahoula Parish, La.—to the Committee on War Claims.

Also, papers to accompany bill for relief of heirs of Mary A. Meredith, of Caldwell Parish, La.—to the Committee on War Claims.

Also, papers to accompany bill for relief of heirs of John R. Temple, of Ouachita Parish, La.—to the Committee on War Claims.

By Mr. ROBINSON: Papers to accompany bill for relief of Eugene King—to the Committee on War Claims.

By Mr. RYAN: Petition of the Merchants' Association of New York, urging legislation to regulate towing in the harbor of New York—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Merchants' Association of New York, against freight rebates—to the Committee on Interstate and Foreign Commerce.

By Mr. SIBLEY: Petition of New Vernon Grange, No. 608,

of Mercer County, Pa., against repeal of the Grout Act—to the Committee on Agriculture.

By Mr. SLAYDEN: Petition of R. F. Casadine et al., favoring legislation to increase power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Pennsylvania: Petition of citizens of Jefferson County, Pa., favoring a law restricting immigration—to the Committee on Immigration and Naturalization.

By Mr. SULLIVAN: Petition of Ford B. Strough et al., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of Iowa: Petition of citizens of the Eleventh Congressional district of Iowa, favoring the Cooper-Quarles bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Milford, Iowa, favoring legislation against the sale of intoxicating liquors in Indian Territory—to the Committee on Alcoholic Liquor Traffic.

By Mr. WILLIAMS of Illinois: Paper to accompany bill for relief of David H. Urley—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of William Clark—to the Committee on Invalid Pensions.

Also, papers to accompany bill for relief of Emery Monty—to the Committee on Military Affairs.

Also, papers to accompany bill for relief of John E. Clark—to the Committee on Military Affairs.

Also, papers to accompany bill for relief of Wily B. Chamness—to the Committee on Military Affairs.

Also, papers to accompany claim for relief of William Clark—to the Committee on Pensions.

By Mr. WILSON of New York: Petition of Carriage Builders' National Association, favoring legislation empowering Interstate Commerce Commission to discriminate on freight rates—to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG: Petition for the relief of George Nottlie—to the Committee on War Claims.

## SENATE.

WEDNESDAY, *January 11, 1905.*

Prayer by the Chaplain, Rev. EDWARD E. HALE.

### NAMING OF PRESIDING OFFICER.

Mr. PERKINS called the Senate to order, and the Secretary read the following communication:

PRESIDENT PRO TEMPORE, UNITED STATES SENATE.

To the United States Senate:

I hereby appoint GEORGE C. PERKINS, Senator from California, to perform the duties of the chair during my absence.

WM. P. FRYE,  
President pro tempore.

JANUARY 11.

Mr. PERKINS thereupon took the chair as Presiding Officer.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. NELSON, and by unanimous consent, the further reading was dispensed with.

### REPORT OF AMERICAN NATIONAL RED CROSS.

The PRESIDING OFFICER (Mr. PERKINS) laid before the Senate the annual report of the American National Red Cross for the year ended December 31, 1904; which was referred to the Committee on Foreign Relations, and ordered to be printed.

### CENTRAL POWER STATION.

The PRESIDING OFFICER laid before the Senate a communication from the Superintendent Library Building and Grounds, transmitting, pursuant to law, a report with preliminary plans and estimates of cost for the location, construction, and equipment of a central power station for the existing and projected buildings on the Mall, in the vicinity of the White House, etc.; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

### FRENCH SPOILATION CLAIMS.

The PRESIDING OFFICER laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel ship *Jane*, James Barron, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Amelia*, Timothy